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April Fifteenth A.D. 1841

On this day His Excellency Governor Samuel Crocker of Wisconsin received from the President of the United States a Commission as Governor of the Territory of Wisconsin and entered upon the Discharge of his Duties as such

Commission

John Tyler

President of the United States of America
To all Who Shall See these Presents Greeting
Know ye That reposing special trust and confidence in the Integrity, Diligence and ability of James Doty I have nominated and by and with the advice and Consent of the Senate do appoint him Governor of the Territory of Wisconsin and do authorize and empower him to execute and fulfil the duties of that office according to Law and to have and to hold the said office with all the powers, privileges and emoluments thereunto of right appertaining unto him the said James Doty for the term of three years from the date hereof Unless the President of the United States for the time being should be sooner to revoke and determine This Commission

In Testimony Whereof I have caused these Letters to be made Patent and the Seal of the United States to be hereunto affixed

Given under my hand at the City of Washington the Thirteenth day of September in the year of our Lord one thousand eight hundred and forty one and of the Independence of the United States of America the Sixty Sixth

John Tyler

By the President
Daniel Webster
Secretary of State

Whereupon his Excellency took the following oath of office

Territory of Wisconsin
County of Dane } ss

I do solemnly swear that I will support the Constitution of the United States, and that I will faithfully discharge the duties of Governor of the Territory of Wisconsin so help me God.

Sworn to subscribed before me this 13th day of October A.D. 1841

James Doty

Daniel Irwin
one of the Justices of the Supreme Court of said Territory

June 26. 1841.

On this day His Excellency Governor Doty commissioned William Dunning Jr. and Stephen Peck, Justices of the Peace in and for the County of Jefferson, to hold their offices until the end of the next session of the Legislative Council. Also, Mortimer M. Jackson, Attorney General for the Territory, George Messersmith, Sheriff of Iowa County, and Enos D. Baker, Sheriff of Grant County, to hold their offices until the end of the next session of the Legislative Council.

July 10. 1841.

On this day His Excellency A. P. Field, Acting Governor, issued commission to John Robertson, Auctioneer of the County of Crawford, until the end of the next session of the Legislative Council. —

July 15. 1841.

On this day His Excellency A. P. Field, Acting Governor, received the resignation of Berry Haney, Justice of the Peace for the County of Sauk, attached to Dane County.

July 16, 1841.

On this day His Excellency A. P. Field, Acting Governor, received the resignation of Thomas W. Sutherland, Major of Separate Battalion, No 2, composed of the Counties of Green, Dane and Sauk.

July 19. 1841.

His Excellency A. P. Field, Acting Governor, received today the resignation of George Batcheldor, member of the House of Representatives from Racine County,

July 20. 1841.

The Acting Governor this day issued a writ to the Sheriff of Racine County, directing him to notify the Judges of Election in said County to hold an election on the fourth Monday of September next, for one member of the House of Representatives, to fill the

 vacancy occasioned by the resignation of Geoge Batchelder Esq.

Aug 4 — 11th 1841

On this day his Excellency A.P. Field acting Governor received and accepted the resignation of the Hon Hugh Lamy a Member of the House of Representatives from the District composed of the Counties of Walworth & Rock.

Aug 4 — 11th 1841

On this day his Excellency A.P. Field acting Governor received and accepted the resignation of the Hon. Solo. Mills a Member of the House of Representatives from the District composed of the Counties of Walworth & Rock

August 11th 1841

On this day his Excellency A.P. Field acting Governor received and accepted the resignation of the Hon. Reuben H. Deming as member of the House of Representatives from the County of Racine

August 11th 1841

On this day his Excellency A.P. Field acting Governor Received and accepted the resignation

August the 11th 1841

On this day his Excellency A.P. Field acting Governor Received a communication from Legrand Rockwell Esqr clerk of the District Court of Walworth County informing him that Ruddel & Mallory had accepted the appointment of Justices of the peace in & for Racine County and had taken the oath of office & entered upon the discharge of the duties

August 11th 1841

On this day His Excellency A.P. Field acting Governor Issued a writ of Election to the Sheriff of Racine County Directing him to notify the Judges of Election in said County to hold an election in said County on the fourth Monday of September next for one Member of the House of Representatives to fill the vacancy occasioned by the resignation of the Hon. Reuben H. Deming

August 11th 1841

On this day His Excellency A.P. Field acting Governor issued a writ of Election to the Sheriff of Walworth County directing him to notify the Judges of Election of said County to hold an Election in said County on the fourth Monday of September next for two members of the House of Representatives to fill the vacancy occasioned by the resignations of the Hon. Jesse C. Hill and the Hon Hugh Long late members of the House of Representatives from the District Composed of the Counties of Walworth & Rock —

August 11th 1841 —

On this day His Excellency A.P. Field acting Governor issued a writ of Election to the Sheriff of Rock County directing him to notify the Judges of Election of said County to hold an Election in said County on the fourth Monday of September next for Two members of the House of Representatives to fill the vacancies occasioned by the resignations of the Hon Jesse C. Hill and the Hon Hugh Long late members of the House of Representatives from the District Composed of the Counties of Walworth & Rock —

August 10th 1841

On this day His Excellency A.P. Field acting Governor Commissioned Julius T. Clark Esqr Auditor of Public Accounts for the Territory of Wisconsin until the end of the next Session of the Legislative Assembly — ,

August 11th 1841 —

On this day His Excellency A.P. Field acting Governor Commissioned Stephen Olney Paine Esqr Auditor of the State in and for the County of Grant until the end of the next Session of the Legislative Assembly —)

August 14th 1841 —

On this day His Excellency A.P. Field acting Governor received and accepted the Bond of Julius T. Clark Auditor of Public accounts for the Territory of Wisconsin.

August 20th 1841

On this day his Excellency A.P. Field acting Governor received and accepted the resignation of the Hon. J. E. Arnold a member of the Legislative Council of the County of Milwaukee and Washington

August 21st 1841

On this day his Excellency A. P. Field acting Governor issued a writ of Election to the Sheriff of the County of Milwaukee Directing him to notify the Judges of Election in the District Composed of the Counties of Milwaukee & Washington to hold an Election in said District on the 4th Monday in September next (being the 27th day thereof) to elect one member of the Legislative Council for said District to fill the vacancy occasioned by the resignation of the Hon. J. E. Arnold.

August 24th 1841

On this day His Excellency A. P. Field acting Governor Appointed and Commissioned Henry Carpenter Esqr to be a Justice of the Peace in and for the County of Portage until the end of the next Session of the Legislative Council)

August 20th 1841

On this day his Excellency A. P. Field acting Governor received & accepted the resignation of Hiram McDonald Esqr (Justice of the Peace of Portage) County —

August 27th 1841

On this day his Excellency A. P. Field acting Governor received & filed the oath of office & certificate of David Noggle who was appointed Supreme Court Commissioner (any 21st 1841 by his Excellency Governor Doty)

June 30th 1841

On this day his Excellency Governor Doty received and accepted the resignation of J. B. Brisbois late Auctioneer of Crawford County

September 1st. 1841 —

On this day His Excellency Governor Doty appointed and Commissioned David Jones. Esq to the Governor with the Rank of Colonel —

September 1st 1841 —

On this day His Excellency Governor Doty appointed and Commissioned John F. Oneill Esq to the Governor with the Rank of Colonel —

September 1st 1841 —

On this day His Excellency Governor Doty appointed and Commissioned Albert N. Parris Military Secretary to the Governor with the Rank of Major —

September 1st 1841

On this day His Excellency Governor Doty appointed and Commissioned A. Finch Jr. Judge Advocate with the Rank of Colonel —

September 1st 1841

On this day His Excellency Governor Doty appointed and Commissioned Lewis Franchere Notary Public for the County of Milwaukee until the end of the next Session of the Legislative Council —

Sept. 3d. 1841

On this day his Excellency Governor Doty appointed and Commissioned James. Morrison Justices of Wisconsin Territory until the end of the next Session of the Legislative Council —

Sept. 3d. 1841

On this day His Excellency Governor Doty appointed & Commissioned Isaac W. Thacker Esq a Justice of the Peace in & for the County of Walworth until the end of the next Session of the Legislative Council

Sept. 3d. 1841

On this day His Excellency Governor Doty appointed & Commissioned Gilbert Knapp Esq a Justice of the Peace in & for the County of Portage until the end of the next Session of the Legislative Council

September ye 8th 1841

On this day His Excellency Governor Doty Appointed and Commissioned Curtis Hoyt Esqr of the County of Racine in the Territory of Wisconsin to fill the vacancy occasioned by the resignation of Levi Sterling late a member of the Legislative Council

September 3d 1841

On this day His Excellency Governor Doty Examined approved and accepted the Bond of Francis Gibson Collector of Revenue of the Territory of Wisconsin

September 3d 1841

On this day His Excellency Governor Doty Examined approved and accepted the additional Bond required by law of James Morrison Treasurer of the Territory of Wisconsin

Septr. 10th 1841

On this day His Excellency Governor Doty received and accepted the resignation of Francis J. Gibson late a member of the Legislative assembly from Iowa County

Septr. 10th 1841

On This Day His Excellency Governor Doty Issued a proclamation to the Sheriff of Iowa County for an Election to fill the vacancy occasioned by the Resignation of Levi Sterling late a member of the Legislative Council also to fill a vacancy occasioned by the Resignation of F. J. Gibson late a member of the Legislative assembly both of the County of Iowa

September 17th 1841

On this day His Excellency Governor Doty appointed and commissioned Michael Myers Sheriff of Racine County until the end of the next Legislative Council

September 17th 1841

On this day his Excellency Governor Doty appointed and commissioned Thomas Sterling Esqr. Electioneer to fill a vacancy occasioned by the resignation of Grant until the end of the next session of the Legislative Council

September 16th 1841

On this day His Excellency Governor Doty received & filed the acceptance of Wm Dennison and a publication of the proclamation which he has given bond to be taken the oath of office in open Court & subscribed

September 17th 1841

On this day His Excellency Governor Doty Commissioned the following officers in the Second Regiment of Wisconsin Militia to hold their offices until the end of the next session of the Legislative Council

John W. Arndt	Captain of Company	"	C
John F. Meade	1st Lieutenant	"	"
Charles White	2d do	"	"
Samuel Watkins	Captain	"	F
Talbot Houle	1st Lieutenant	"	"
James Thurston	2d do	"	"
Elias Pierce	Captain	"	D
Alfred Woodl	1st Lieutenant	"	"
Silas P. Smith	2d do	"	"
Alexander Grigdon	Captain	"	G
Wm Powell	1st Lieutenant	"	"
Matthew D. Hogarty	2d Lieut do	"	G & A

September 20th 1841

On this day His Excellency Governor Doty Received examined and approved the bond of Louis Franchere & also received the oath of office subscribed by him which were both filed

September 20th 1841

On this day His Excellency Governor Doty appointed and commissioned Thomas M. McCaughey a justice of the peace in the County of Dodge until the end of the next Session of the next Legislative Council

September 20th 1841

On this day His Excellency Governor Doty appointed & commissioned Joseph Smith a justice of the peace in the county of Dodge until the end of the next Session of the Legislative Council

September 20th 1841

On this day His Excellency Governor Doty appointed & commissioned Luther S. Hale a justice of the peace in Dodge County until the end of the next Session of the Legislative Council

September 20th 1841

On this day his Excellency Governor Doty Received the oath of office taken by Josiah A. Clark as Auditor of Wisconsin before the Hon. David Irwin Judge of the District Court which was deposited with the Secretary & filed. —

September 22d 1841

On this day his Excellency Governor Doty appointed & Commissioned John M. Cofron Quartermaster General with the Rank of Colonel of Wisconsin Militia until the end of the next Session of the Legislative Council. —

September 22d 1841

On this day his Excellency Governor Doty appointed & Commissioned Almon Lull M.D. Surgeon General with the Rank of Colonel of Wisconsin Militia until the end of the end of the next Session of the Legislative Council.

September 22d 1841

On this day his Excellency Governor Doty appointed & Commissioned Owen Lee a Justice of the Peace in and for the County of Sauk until the end of the next Session of the Legislative Council. —

September 20th

On this day his Excellency Governor Doty appointed & Commissioned Absolum A. Townsend Esqr a Justice of the Peace in & for the County of Dowty until the end of the next Session of the Legislative Council.

September 23d 1841

On this day his Excellency Governor Doty Issued the following Proclamation & Warrant

Be it Known

That whereas there has been presented to the Governor of the Territory of Wisconsin a requisition made by his Excellency William H. Seward which is in the following words to wit

William H Seward Governor of the State of New York
To his Excellency the Governor of the Territory of Wisconsin

It appears by the annexed papers duly authenticated according to the Laws of our state that Lester N. Cotton Cameron Reed, Robert Carwell and Orin Farley stand charged in this State with the Crime of Robbery — and it has been represented to me that they have fled from the justice of this State and are now within the Territory of Wisconsin —

Now therefore pursuant to the provisions of the

constitution and laws of the United States in such case made provided, I do hereby require that the said Lester W. Cotton, Cameron Reed, Robert Carwell & John Bailey be apprehended and delivered to Lorenzo Brown and John W. Stewart both or either of them who are hereby duly authorized to receive them and convey them to the State of New York there to be dealt with according to Law.

In witness whereof I have hereunto affixed my name and the Privy Seal of the State this Seventh day of August in the Year of our Lord one thousand eight hundred and forty one

William H. Seward

By the Governor
Sand. Blackford
Private Secretary

And whereas the said persons mentioned in the said requisition are now filed of record in the office of the Secretary of the said Territory.

Now therefore these are to command all Constables Sheriffs, Constables and other civil officers of the said Territory to aid and assist the said Lorenzo Brown & John W. Stewart in arresting and they are hereby commanded to apprehend and cause to be delivered to the said Lorenzo Brown and John W. Stewart & the said Lester W. Cotton, Cameron Reed, Robert Carwell and John Bailey or either of them when ever and in what ever County they may be found within the said Territory and the said Lorenzo Brown & John W. Stewart both or either of them are hereby authorized & empowered to take and receive the said Lester W. Cotton, Cameron Reed, Robert Carwell and John Bailey or either of them if found within the said Territory and convey them or either of them to the State of New-York to answer to the said charge of Robbery with which they stand charged in the Court of the said State and there to dealt with according to Law.

Given under my hand and the Great Seal of the said Territory of Wisconsin this twenty third day of September A.D. one thousand eight hundred and forty one -

J. D. Doty

By the Governor
A. P. Field
Sec'y of W. T.

October 4th 1841

On this day his Excellency Governor Doty appointed and commissioned David Jones Sheriff of the County of Brown until the end of the next Session of the Legislative Council

October 4th 1841

On this day his Excellency Governor Doty appointed & Commissioned Josiah S. Little Esqr a Justice of the Peace in and for the County of Grant until the end of the next Session of the Legislative Council —

October 5th 1841 —

On this day his Excellency Governor Doty appointed & Commissioned Asher Divine Esqr a Justice of the Peace in and for the County of Grant until the end of the next Session of the Legislative Council —

October 5th 1841 —

On this day his Excellency Governor Doty appointed & Commissioned A. P. Benton Esqr a Justice of the Peace in and for the County of Grant until the end of the next Session of the Legislative Council —

October 6th 1841

On this day his Excellency Governor Doty appointed & Commissioned Lyon L. Ogden Esq Engineer of the Milwaukee & Rock river Canal until the end of the next Session of the Legislative Council —

October 6th 1841 —

On this day his Excellency Governor Doty appointed & Commissioned H. Hurlbut Esqr a Justice of the Peace in and for the County of Racine until the end of the next Session of the Legislative Council —

October 6th 1841 —

On this day his Excellency Governor Doty appointed & Commissioned George Gale Esqr Master in Chancery in and for the County of Walworth until the end of the next Session of the Legislative Council — Vice Edward Bilstein removed —

October 6th 1841 —

On this day his Excellency Governor Doty appointed and Commissioned George Gale Esqr Supreme Court Commissioner in and for the County of Walworth until the end of the next Session of the Legislative Council. Vice Edward Bilstein removed —

Oct. 6th 1841 —

On this day his Excellency received a communication from Col Alanson Little M.D. accepting the office of Surgeon General of Wisk. Ter. Militia & that he had entered upon the discharge of the duties of this office —

October 7th 1841 —

On this day his Excellency Gov. Doty received a communication from H. F. Cox clerk of the Board of County Commissioners of Racine County informing him that Daniel P. Stryker Esqr had accepted the appointment of Justice of the Peace in said County and given Bond & took the oath of office accordingly

October 13th 1841

On this day his Excellency Governor Doty received a communication from Col David Jones accepting the office of aid to the Governor.

Nov. 16th 1841 —

Proclamation

James Duane Doty Governor of the Territory of Wisconsin

To all to whom these presents Shall Come:

Greeting

Whereas in conformity with the act of Congress establishing the Territorial Government of Wisconsin and of the act of the Legislative Assembly of said Territory entitled an act to provide for & regulate General Elections Approved March 7th 1839; an election was held on the fourth Monday of September in the year of our Lord one thousand eight hundred and forty-one for a Delegate to Congress: and whereas it appears from an examination of the votes given for said office of Delegate returned to the office of the Secretary of said Territory That Henry Dodge received the highest number.

Now therefore in accordance with the provisions Containing in the above mentioned Acts. I do hereby declare Henry Dodge to be duly elected to said office.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be affixed.

Done at Madison this sixteenth day of November A.D. 1841.

By the Governor

A. V. Fields

Secretary W.T.

L.S.

J. D. Doty

November 12. 1841.

His Excellency Governor Doty issued, this day, the following Proclamation and Warrant, to wit:

Be it known, That Whereas there has been presented to the Governor of the Territory of Wiskonsan a requisition made by His Excellency David R. Porter, which is in the following words to wit:.

David R. Porter, Governor of the Commonwealth of Pennsylvania,
To His Excellency the Governor of the Territory of Wisconsin.

It appears by the annexed papers duly authenticated, according to the laws of this Commonwealth, that a certain Robert Bloomer stands indicted in the Court of Quarter Sessions of Adams County, in this Commonwealth, for the crime of Larceny, And it has been represented to me that he has fled from the justice of this State, and has taken refuge within the Territory of Wisconsin,

Now therefore, pursuant to the provisions of the Constitution and Laws of the United States, in such case made and provided, I do hereby request that the said Robert Bloomer be delivered to Morris Lloyd, who is duly authorized to receive him and convey him to the State of Pennsylvania, to be dealt with according to law.

Given under my hand, and the Seal of the State, this fifteenth day of September, in the year of our Lord, one thousand, eight hundred and forty one.

L. S.

David R. Porter.

And Whereas the said papers mentioned in the said requisition are now filed of record in the Office of the Secretary of the said Territory,

Now therefore, these are to command all Marshals, Sheriffs, Constables and other civil Officers of the said Territory to aid and assist the said Morris Lloyd in arresting, and they are hereby commanded to apprehend and cause to be delivered to the said Morris Lloyd the said Robert Bloomer, whenever and in whatever County he may be found within the said Territory, and the said Morris Lloyd is hereby authorized and empowered to take and receive the said Robert Bloomer, if found within the said Territory, and convey him to the State of Pennsylvania to answer to the said charge of Larceny, with which he stands charged in the Court of the said State, and there to be dealt with according to law.

Given under my hand, and the Great Seal of the said Territory of Wiskonsan, this twelfth day of November, A. D. one thousand eight hundred and forty one.

L. S.

By the Governor,
A. P. Field
Sec'y. W. T.

J. D. Doty.

November 16th A.D. 1841

On this day his Excellency Governor Duty issued the following Proclamation & Warrant to wit:

Be it known that whereas there has been presented to the Governor of the Territory of Wisconsin a requisition made by His Excellency Thomas Carlin which is in the following words to wit:

Thomas Carlin
Governor of the State of Illinois

To His Excellency the Governor of the Territory of Wisconsin

It appears by the annexed papers duly authenticated according to the Laws of this State, that Carlos Sabine otherwise called Carlos Sabin stands Indicted in the Circuit Court of Cook County in the State of Illinois for the crime of Larceny which said Indictment was found at the April Term of said Court A.D. 1841. and it has been represented to me that he has fled from the Justice of this State and taken refuge within the Territory of Wisconsin.

Now therefore pursuant to the provisions of the Constitution and laws of the United States in such cases made and provided I do hereby require that the said Carlos Sabine otherwise called Carolest Sabin be apprehended and delivered to Samuel L. Lowe who is hereby duly authorized to receive him and convey him to the State of Illinois, there to be dealt with according to Law.

In testimony whereof I have hereunto set my hand and caused the great Seal of the State to be affixed Done at the City of Springfield this 21st day of October A.D. 1841.

(L S)

Thos Carlin

By the Governor
Lyman Trumbull, Secretary of State

And Whereas the said papers mentioned in the said requisition are now filed of record in the office of the Secretary of the said Territory

Now therefore these are to Command all Marshalls, Sheriffs, Constables and other Civil officers of the said Territory to aid and assist the said Samuel L. Lowe in arresting and they are hereby commanded to apprehend and cause to be delivered to the said Samuel L. Lowe the said Carlos Sabine, otherwise called Carolest Sabin Wherever and in whatever County he may be found within the said Territory and the said Samuel L. Lowe is duly authorized and empowered to take and receive the said Carlos Sabine otherwise called Carolest Sabin if found within the said Territory and convey him to the State of Illinois to answer to the said Charges of Larceny with which he stands Charged in the Courts of the said State and there to be dealt with according to Law.

Given under my hand and the Great Seal of the said Territory of Wisconsin this Nineteenth day of November A.D. one thousand eight hundred and forty one.

(L S)

By the Governor
A.J. Field
Sec. of Wisconsin Territory

P. C. Doty

Nov. 5th 1841.

On this day His Excellency Governor Doty appointed a Commissioner from Jefferson County in the District Court of Brown County in place of William Strickler who had accepted the office of Justice of the Peace in and for Dane County & shall give his bond & take the oath of office as required by Law which was accordingly done

November 16th 1841.

On this day His Excellency Governor Doty appointed and Commissioned Edward S. Bartlett Esqr a Justice of the Peace in and for the County of Milwaukee until the end of the next Session of the Legislative Assembly Council.

Nov. 16th 1841.

On this day His Excellency Governor Doty appointed and commissioned John D. Dillon Supreme Court Commissioner in and for the County of Racine until the end of the next Session of the Legislative Council.

Nov. 16th 1841.

On this day His Excellency Governor Doty appointed and Commissioned Orson S. Wood Esqr a Notary Public in and for the County of Racine until the end of the next Session of the Legislative Council.

Nov. 16th 1841.

On this day His Excellency Governor Doty appointed and Commissioned Adam Hammond Esqr. Master in Chancery in and for the County of Racine until the end of the next Session of the Legislative Council.

Nov. 16th 1841

On this day His Excellency Governor Doty appointed and Commissioned Lewis Allen Supreme Court Commissioner in and for the County of Brown until the end of the next Session of the Legislative Council.

Nov. 16th 1841.

On this day His Excellency Governor Doty appointed and Commissioned Henry Enderly Justice of the Peace in and for the County of Brown until the end of the next Session of the Legislative Council.

Nov. 16th 1841

On this day His Excellency Governor Doty appointed and Commissioned John McCarty Justice of the Peace in and in the County of Brown until the end of the next Session of the Legislative Council.

Novem ber 21st 1841.

On this day His Excellency Governor Doty appointed and commissioned Albert W. Parris to be Notary Public in and for the County of Dane until the end of the next session of the Legislative Council.

Nov. 22d 1841.

On this day His Excellency Governor Doty appointed and commissioned Hiram Leffingwell to be Notary Public in and for the County of Dane until the end of the next session of the Legislative Council.

Nov. 22d 1841.

On this day His Excellency Governor Doty received and approved of and filed the Bond of Albert W. Parris a Notary Public.

Nov. 22d 1841.

On this day His Excellency Governor Doty received the oath of office taken & subscribed by Albert W. Parris as Notary Public which is filed in the office of the Secretary.

Nov. 22d 1841.

On this day His Excellency Governor Doty appointed and commissioned Almon Lull Librarian of Wisconsan Territory until the end of the next Session of the Legislative Council.

Nov. 22d 1841

On this day His Excellency Governor Doty appointed & commissioned Lewis Mantlethan Auctioneer for the County of Brown until the end of the next Session of the Legislative Council.

Nov. 22d 1841

On this day His Excellency Governor Doty appointed & commissioned Milo Melvy Esqr Notary Public in and for the County of Walworth until the end of the next Session of the Legislative Council.

Nov. 24th 1841.

On this day Almon Lull took & subscribed the following oath of Librarian

I, Almon Lull do solemnly swear that I will faithfully & impartially discharge the duties of the office of Librarian of the Territory of Wisconsan.

Almon Lull

Sworn to & subscribed before me this 24th day of November A.D. 1841

Daniel Brigham
Justice of the Peace

— February 25th 1841 —

On this day His Excellency Governor Dodge, was appointed Local Peace Conferences Henry Farrel Esqr Inspector in the Room of Peter Quick Esqr the time of the next Session of the Legislative Council.

(— November 25th 1841 —)

On this day His Excellency Governor Doty appointed Asahel Greenwood Esqr (Clerk of Grant County) Justice of the Peace in and for the County of Grant until the end of the next Session of the Legislative Council.

— November 22d 1841

On this day His Excellency Governor Doty Issued the following Proclamation.

By James Duane Doty Governor of the Territory of Wisconsin.

A Proclamation

Thursday the Sixteenth day of December next is hereby appointed and set apart for the Customary unmet offerings of Public Thanksgiving and of Praise to Almighty God for the Kindness, mercies, and blessings with which He has favoured the inhabitants of this Territory in this and in former years. And I recommend that my fellow-citizens do refrain from all unnecessary Labour on that day and that it be observed throughout the Territory with the devotion and gratitude which become a christian people.

And acknowledge His power and Goodness; let us then beseech a continuance of His favours, and that he will be graciously pleased, whilest he turns our hearts to him; to grant to us that improvement in our moral and intellectual condition which is essential to insure the establishment of free institutions, and the perpetuation of our Liberties when this infant Commonwealth shall have become one among the nations of the Earth.

In testimony whereof I have hereunto Set my hand and Caused the Great Seal of the Territory to be fixed.

(Done at Madison the Twenty Second day of November in the year of our Lord One Thousand Eight hundred and forty one and of the Independence of the United States the Sixty Eighth

By the Governor
A. P. Field
Secretary of the Territory

J. D. Doty

November 25th 1841

On this day His Excellency Governor Doty Received and approved the bonds of Henry Arndt as Notary Public in and for the County of Portage

Nov. 30th 1841

On this day His Excellency Governor Doty received a communication from A.G. Fenton Clerk of the district court of Crawford County informing him that William Cady Edge had on the 27th inst. accepted the office of Justice of the Peace for said County

Nov. 30th 1841

On this day His Excellency Governor Doty received a communication from John Last Clerk of the district court of the County of Brown informing him that on the 6th day of November inst. David Jones Esqr. Qualified as Sheriff of the County of Brown.

1841 Nov. 30th. On this day his Excellency received a Communication from the clerk of the District Court of Racine County informing him that Hopkins Hurlbut had filed his Bond and oath of office as Justice of the Peace in the County of Racine.

Dec. 14th 1841

On this day His Excellency Governor Doty received a Communication from Lewis A. Edgerton declining the office of Supreme Court Commissioner for the County of Brown.

December 18th A.D. 1841.

On this day His Excellency Governor Doty Delivered in the Capitol at Madison the following Message at the Commencement of the Second Session of the Second Legislative Assembly

Fellow citizens of the Council
and of the House of Representatives

It has been usual for the Governor of the Territory to address the Legislative Assembly at the Commencement of its annual Session upon such Subjects affecting the public good as in his opinion are entitled to the Consideration of the Representatives of the people. In Compliance with this custom I have now the honor to meet you and to respectfully invite your attention to those matters which are deemed important to the interests of the Territory & with the happiness of our fellow citizens.

The time last annual when in my opinion it is expedient to adopt measures preparatory to a change in the form of Government of Wisconsin from a Territory to a State; and I therefore present the Subject for your early action upon it if it is your pleasure to consider it. The expence of a State Government, and the number of our Inhabitants at one period heretofore fixed — and I think properly — the people from giving to this subject a favourable Consideration. But our population is estimated to have increased to at least forty five Thousand Souls, and before the State can enter the union, will, it is believed exceed Sixty Thousand. and if the District of Country now under the Jurisdiction of Illinois should sustain her claim to be made a part of the State of Wisconsin and it seems to me to be a question which may very properly be left to the decision of the people who inhabit the disputed tract — and the boundaries prescribed by the Ordinance of 1787. and Subsequent acts of Congress for the Settlement of the North-western States be established as her boundaries, her population would now exceed one hundred Thousand.

But the adoption of a State Government is presented in a different light from what it had once previously been, by the passage by Congress on the 4th day of September last, of the "act to appropriate the proceeds of the Sales of the public lands and to grant pre-emption rights." Its provisions, I think presents a sufficient inducement for a change as early as practicable, in the pecuniary advantages which they offer.

This act grants to Wisconsin so soon as she becomes a State and a number of the Union five hundred Thousand acres of Land. This will constitute a fund for the Construction of roads, railways, Bridges, Canals, and the improvement of water Courses, and the draining of Swamps;

and greatly exceeding any Sum we can ever hope to obtain by appropriations from Congress for these purposes made in consequence of the Territory remaining under its present form of Government. It is to this fund we must also look for means to improve permanently her Navigation by removing the bars and obstructions at the mouths of her rivers so as to permit vessels of easy draft which navigate her waters to enter them freely.

She will be entitled to receive from the public Treasury ten per centum upon the nett proceeds of the Sale of all the lands owned by the united States within her limits.

This would have amounted, upon the Sales which were made from 1835. to the 30th of September 1840. deducting therefrom the expences of the Surveys, Sales and Salaries of officers to the Sum of Two hundred and forty Thousand five hundred and Sixty four Dollars. She will be entitled to receive five per centum of all the public Lands within her limits done of the new States to place her upon equal footing with each of those States, and to be appropriated to the making of roads and Canals or such other internal improvements as may be agreed upon by the State & Congress.

She will also be entitled to receive her equal proportion with all the other States of the nett proceeds of all the public Lands in the united States Sold after the 31st day of December, 1841. The receipts from the Sales of all Lands in the united States from 1833. to the 30th September, 1840. amounted to Seventy two Millions two hundred and eighty nine thousand four hundred and Seventy nine dollars.

The receipts from Sales made during the years 1837, 1838 and 1839 averaged Five Millions nine hundred and twenty five thousand nine hundred dollars each year.

The receipts from the Sales of Lands within Wisconsin during the same term averaged three hundred and eighty four thousand Two hundred and Sixty eight dollars each year.

The Lands which are now reserved for the support of common Schools and which are at present unproductive will then be placed under her control, and can be applied beneficially for that object. These will amount to about five hundred thousand acres. And besides these proceeding benefits she will obtain the proud station of an independent State honored and respected if she is worthy contributing no more than the same equal proportion which she now contributes towards the expences of the General Government but entitled to be heard when She speaks of her interests or the rights of her citizens. She will obtain Constitutional Liberty for a undefined Legislative Colonial privileges. The Territorial officers are generally & believe required by Law to make their reports directly to the Legislature

Have therefore made it convenient for the Convention of this Territory whether further legislation is required to advance the public interest

The accuracy of the Secretary is made a fiscal agent officer by an act of Congress, for the purpose of expending all sums appropriated by Congress to defray the expenses of the establishment and the incidental expenses of the Territorial Government. He has in connection with a large debt been created to defray these contingent expenses on behalf of the Legislature, a part of which is now in the shape of bonds or certificates bearing ten percent interest and for their payment the faith of the Territory is pledged. These are stated by the Auditor to be outstanding but there is no record in his office showing their amount or the names of the persons to whom they were issued or the several amounts. This debt it is supposed amounts to about thirty nine thousand dollars, for the payment of which it does not appear that any adequate provision has been made by those by whom it was incurred.

The power to appropriate money to defray the expenses of the Legislative assembly is reserved to Congress by the act establishing the Territorial Government. The amount to be expended is appropriated by Congress before an estimate to be made by the Secretary of the Territory Treasury of the United States. The expenditure is of course limited to the objects and sums specified in the estimate it is not perceived therefore how the Territory can be equitably chargeable with any of those expenses. Specific provisions having been made by Congress for the payment of the members of the Legislature and all of the officers of the Territorial Government and for the contingent expenses of that Government it appears to me that the power to contract a debt for those purposes and to levy a tax upon the people for its payment was not intended to be granted and was not granted to the Governor & assembly The holders of the bonds can have no other remedy than by application to Congress.

If the Law creating this debt had been submitted to Congress before they took effect Congress would it is presumed have disapproved of such of their provisions as exceeded its appropriation or given its assent to them and thus sanctioned the debt.

This and yet greater evils are likely to arise from the mode of Legislating heretofore pursued. The great number of Statutes which have been passed since the Territorial Government was established, and their character show the importance of the provision that they "shall be submitted to Congress" for its action upon them.

Extensive legislation is an evil of the greatest magnitude; and rapid changes in the laws are injurious to private rights and to the public interest. Mr Jefferson said — "the instability of our laws is really a very serious inconvenience. I think we ought to have obviated it by requiring that a whole year should elapse between the bringing in of a bill and the final passage of it. it should afterwards be discussed and put to the vote without the possibility of making any alterations in it, and if the circumstances of the case require a more speedy decision the question should not be received by a simple majority but

by a majority of at least two thirds of both houses.

The act establishing the Government of Wisconsin in the third section required the Secretary of the Territory to transmit immediately on or before the first monday in December two copies of the laws to the Speaker of the House of Representatives for the use of Congress.

The 6th Section provides that all the laws of the Governor and Legislative assembly shall be submitted to and if disproved by the Congress of the United States the same shall be null and of no effect. These provisions it seems to me require the laws to be actually submitted to Congress before they take effect.

They change the law by which this country was governed while it was a part of Michigan. That law provided that the laws should be reported to Congress and that they should "be in force in the district until the organization of the general assembly therein unless disapproved of by Congress." The opinion of my predecessor which was expressed to the first Legislature assembled after the organization of this Government in his Message delivered at Belmont on the 26th day of October 1836. fully sustains the view of this subject which I have presented. He said - "we have convened under an act of Congress of the United States establishing the Territorial Government of Wisconsin for the purpose of enacting such laws as may be required for the Government of the people of this Territory after their approval by Congress."

But the amount of the Public debt does not appear to be limited to the sum of Thirty nine thousand dollars, it may be increased by various Items with the enumeration of which I will not at this time trouble you with the exception of one of One Hundred thousand dollars, incurred on account of the Milwaukee and Rock river Canal. The Legislature authorized the Governor to negotiate a loan for this amount, and to issue Bonds therefor in the name of the Territory bearing seven per cent interest by which the Canal Lands become pledged for their redemption But if there are not enough of those Lands sold to meet the payments or the purchasers do not pay for their lands as stipulated it is manifest that the Territory will be compelled to provide the means to meet them by a general Tax upon the people. There is not in the Executive Office any evidence that my predecessor negotiated the loan according to the Law: but it appears that he issued Bonds to the amount of one hundred thousand dollars and delivered them to one man to give to another in Ohio who was authorized by a power of Attorney to sell them: but where the money is for which they have been sold or what has become of them I am unable to inform you. There is no evidence in this office that my predecessor required any security of either of the persons to whose custody they were entrusted: and I submit to you whether some proceeding ought not to be instituted to protect the Territory against a loss either for the recovery of the money or the Bonds or against the persons who issued them.

The Monopolies which have been created within this Territory by acts of Incorporation - granting exclusive privileges, and restraining all but those from their number and character justly entitled

in the world of all good behaviour, to avail ourselves
the advantage of all such institutions as are most favourable to
Happiness. Under Circumstances of political peace and security
settlers and capitalists have been induced to emigrate to almost
every neighbourhood although they may give temporary benefits to a few individuals we may expect the
time will soon arrive when they will yield only bitter fruit for
the people. Many of them appear to have been granted to favour
particular persons by creating a value for their property out of
their neighbourhood or by their getting it to render it more
saleable. They are incorporations to aid Speculation.

Your attention is respectfully invited to all of the acts of incorporation
which have been passed, that all such as are not lawfully in existance
may be repealed without delay.

The acts incorporating villages are liable in addition to another
objection. The act of Congress declares that the legislative Power shall
be vested in the Governor and a "Legislative Assembly" And again that
this Legislative Power of the Territory shall extend to all rightful
subjects of Legislation &c. Also that the judicial Power shall be vested
in a Supreme Court; district courts, probate courts and in justices
of the peace." These village Charters authorize the corporators to
exercise a portion of these powers which it believe cannot be
delegated.

Also by the 7th Section of that act, the Governor with the advice and
of the Council, is required to appoint "all civil officers except Township
and county officers who (with the exception of justices of the peace -
Sheriffs and clerks of courts) shall be elected by the people" the
officers of these corporations are not made Township & County
officers and are therefore not made elective according to the act
of Congress.

The several Banks which have been established heretofore
received the attention of the Legislatures but whether the people of
the Territory have been benefitted by their distructions and the
introduction of foreign depreciated paper are questions now with
them. It is my duty to ask your attention to the state of the Currency
that adequate provision may be made if in your power to restore
it to a healthy Condition. The exchange which is paid for eastern
or Southern paper is a tax upon the industry of the Country and
it never is paid by an increased Price for our productions
when they reach the market. Considering the insecure Condition
of all of the banks of the United States whose notes are brought
to that Country for circulation it seems to me that every effort
ought to be made to secure Specie and the notes of Specie
paying banks for a circulating medium by prohibiting the
sale of all depreciated bank paper & the buying and selling
of it within the limits of the Territory. The effect of this
would be to compel a bank which refused to enjoy the privilege
of furnishing the people of the Territory with paper for
circulation to keep it at all times at the value of Specie within a

dividend. Under this it appears no citizen can have no security for the debt which they are compelled to take daily in the course of their business and they are generally unacquainted with the solvency of the institutions which have issued them. The right to protect the circulation is claimed to prevent the use of false, valueless or spurious paper for the money delivered to this or any other Government. I do not perceive why the prohibition which it suggested would not be proper and effectual as the prohibition to pass counterfeit notes. A note of a respectable bank is worth no more at its own counter than if it were a counterfeit note; and no State has the right to impose upon another irredeemable paper, unless it guarantees its payment ultimately.

A note which is not payable by law or is not payable in specie on demand is not the representative of gold or silver. If it promises to pay and is not paid in what respect is it better for circulation than a counterfeit note?

It will be for your wisdom to determine whether under these regulations, it is of greatest advantage to withdraw the notes of those banks which are chartered by the States with whom our trade is chiefly transacted, in preference to those of an institution which may be hereafter created by herself whose circulation shall be based upon specie and whose privileges shall be so few and so closely guarded that the public interests will be entirely protected.

But in no case in my opinion ought a bank note to be allowed to circulate when its value either from the course of trade or the unsoundness of the bank is less than the sum which it professes to be worth. It is known to be impossible to retain specie for circulation in any country where depreciated paper money is used. No one can reasonably doubt that specie ought to constitute the basis or the chief medium of circulation within this Territory; and that all paper should be convertible into specie or its equivalent here.

If the transactions of the country are not of sufficient value to pay the debt which our merchants contract abroad our specie must be taken to liquidate the balance or to purchase at a premium drafts which are at par at the place where the merchant is indebted. The land offices of the United States also continue to drain a large portion of the specie from circulation which is either transported to more favored places for sale or kept in the coffers of Government where (and sometimes years) before it is again returned to the hands of the people. Industry, Economy & an increase of our domestic manufactories are the surest means which can be employed to remedy the evils of which all except the money lenders have reason to complain. All the profits which accrue upon the currency are more conspicuous. If the poor will abstain from ardent spirits for the present the wealth of foreign speculators they will find them less in addition to this they will be able to demand and obtain the best money for their own until permanently secure for their country a sound currency secure for themselves individually wealth and independence.

For the purpose of [illegible] the [illegible] would

[illegible] [illegible] [illegible] [illegible] [illegible] that a law be passed to exempt all
Steel and Iron pieces from taxation for a term of Years and
that such other provisions aid & protection may be made that
wool may soon become one of the staple productions of
Wisconsin. The cost of the transportation of a pound of
wool to New York or Boston is but little more than that
of a pound of flour from Fort du Lac while it's value in market
is five times greater than either. It is well ascertained that
the sheep which can feed upon the high pastured mountain
sides and improve in health and fleece are not liable to
disease than those sheep which are confined to the pastures
of the eastern and Middle States. The extensive and well
watered hills of the Wisconsin Ridge and of its branches and
upon which there is now no prospect of settlements being
formed for many years to come, will be occupied in a few years with flocks of sheep
capable of supplying all of the Manufactories of woolen
goods in the United States with wool.
and I avail myself of this occasion to propose that a
System of premiums may be established for the best of
such agricultural productions (including stocks) as may
may be considered important to the interests of the Territory:
The amount of the premiums to be drawn from the five percent
fund which is required by Law to be paid by every County annually
annually into the Territorial Treasury.

The protection of the business of Mining and smelting of
Lead ore which has been heretofore afforded in the united States
by the duty on lead has enabled the miners of Wisconsin to
supply chiefly the consumption of the United States and to
furnish a considerable quantity for shipment to China and
other countries. The largest shipments of our domestic lead it
appears have been made from Boston and it is hoped that
the intelligent and enterprising Merchants of that city, who have
thus obtained new markets for an article of which Wisconsin
has this year produced over Twenty Millions of pounds, will
receive from this branch of our trade the reward to which
they are so justly entitled. The foreign trade of this country is
now carried with foreign Countries under the greatest disadvantages
and its interests appear to have been overlooked or disregarded
by the Government of the United States. While our furs and skins
pay a duty in every port all furs, skins & hides into the United States
are admitted free of duty. The goods also which are required for the
trade are manufactured in England and France and pay a duty
on their entry into the United States. The British traders opposed
are now along our Northern boundary with goods which have been
manufactured in the same shops in England and there in the
possession of our Traders, and free of duty.

The American Traders have more than two thirds of the whole
trade in their hands; & of a valuable interest to the Country

[illegible] [illegible] [illegible] [

to the very able report of the Chief Engineer in relation to this Road which will be laid before you and by which you will be in your power to release our Territory from the control of this Land Company and to cause the fund which was granted by Congress to be employed for the general good rather than to subserve the ends of foreign or domestic Speculators.

Surveys or Military Roads are much required throughout the Territory and it seems to me that a portion of the large amount of taxes which is annually collected in each County may with great advantage to the public be required to be expended in their Construction.

The system of taxation throughout the Territory is considered unequal, illegal and highly oppressive. Large sums of money are collected in each County, but few if any improvements are constructed, and the people may justly complain that they are burthened with heavy Taxes without receiving any apparent benefit from their expenditure. Its operation in these Counties is to confiscate the property of bona fide purchasers and to transfer it to Speculators in tax titles. But if it is to be perserved and the titles of honest purchasers must be forfeited.

I would recommend that the Territory become the purchaser of all lands sold for taxes and that they be held for the benefit of the Territory.

All of the expences of the Territorial Government being by the United States, there can be no necessity in my opinion for levying so large sums for the support of County government alone The occasion for this seems to arise from the protracted sessions of the Courts; the very great number of County and Township officers, the high rates at which they are paid and the number of days they are employed. The system may perhaps be well adapted to a Country densely populated where the land is owned by individuals, and every foot of land pays its proportionate share of tax. But our country is as yet only sparcely settled and the lands are chiefly owned by the United States and therefore not subject to taxation. It would be a more economical System and better adapted to the condition of our Settlers at present if the duties which are now performed by the County Commissioners and their Clerks were required to be performed by the Justices of the Peace the assessments made by the register of deeds and the taxes collected by the Sheriffs

These officers can afford to perform these duties for the public without any other reward than the fees now allowed them for other services which they render. This Change or any other which shall diminish the number of officers it therefore recommended and I shall be happy to concur with you in any Change of the System by which the people will be relieved from unnecessary Taxation.

I'll admit in the commencement of the settlement of a country the settlers to render all such services as are required on behalf of the public without compensation; and in Virginia and Kentucky I am informed this is the part of their militia or county Government and the honor of the office is its reward. But here the reverse is the case and the pernicious doctrine prevails that the offices are created to put money in the pockets of the citizens.

The public charges are largely increased and unnecessarily I think by the organization of Counties in which there are but few more inhabitants than are required to fill the offices. The whole number of votes given in six Counties at the late election varied only from twenty one to forty eight in each County.

In several Counties I am informed that all white males are assessed at not less than two dollars and sixty cents and some even as high as seventy eight dollars, when adjoining lands of Government can be purchased for one dollar and twenty five cents an acre. It is believed that but few individuals have been able to sell the wild lands which they own for cash within the late three years at any price and many a man is compelled to forfeit all he has paid for his land - often hundreds of dollars - because he is unable to procure in this time of general stagnation but the money - broker pays the severity of the forfeiture for money, the amount of his tax - a tax which would be enormous in its amount even if limited to five per cent and money abundant.

In those Counties where nine tenths of the settlers are occupants of the public lands they are in fact almost wholly exempt from taxation while the few owners of real estate, of merchandize and of stock in companies are required to pay all of the County charges. Can it be possible that all the land owned by a citizen can be sold to pay his tax for one year? Shall a sale of eighty acres to pay a tax of two dollars be valid and the owner lose his property forever.

The power to compel any one species of property to pay all the taxes for the support of government if granted by Congress is not to be exercised. To exclude all improvements made upon land from taxation is to require all wild uncultivated land to be taxed higher than cultivated lands which is forbidden by the acts of Congress. The ordinance of 1787 provides that "no case shall non resident proprietors be taxed higher than resident." And the act to establish this government provides "that no tax shall be laid on the property of non-residents be taxed higher than the lands or other property of residents." To exclude the property of a resident from taxation and to tax all the property which is owned by a non-resident is clearly a violation of these provisions. The more we learn of the practical operation of this system the more objectionable does it become. Numerous sales have been made of lands by the Register

the issuance of the patent to any individual. While the title is yet in the United States the Territory undertakes to sell and convey their lands to some other person than the purchaser of the Government- the acts of Congress declare that no tax shall be imposed upon the property of the United States;" and that no law shall be passed interfering with the primary disposal of the soil. Instead of diminishing the taxes when it was found that the rate of taxation was higher than the people could generally pay the Legislature appears to have been entirely in accordance with the last title speculators My predecessor approved on the 13th of January 1840 a law to deprive every citizen whose lands may have been sold for taxes of the right to contest the legality of the sale three years thereafter. The Legislature in effect undertakes to grant the land owned by individuals to tax Speculators for the amount of taxes which they have paid whether the taxes were in fact legally assessed or not or the sale made according to law. I cannot think the Legislature had or ought to have such a power and from its exercise I must therefore dissent. It deprives a citizen of the privilege of the courts to sue for the recovery of his land within the time which is allowed to other citizens to sue for the recovery of theirs while twenty years are given in which to contest the validity of any other title a tax title must not be questioned after three years and this provision is made too after the Legislature had in an other Statute declared that a conveyance to a tax title Speculator should be prima facie evidence that the sale to him was regular and according to the terms of the act. Can any citizen doubt that such laws ought to be submitted to Congress?

A more efficient system for the support of Common Schools is demanded by the people in several parts of the Territory and I bring the subject to your notice in the hope that you may be able to devise a plan which will prove to be entirely satisfactory. In some of the Counties the School fund could be largely increased if adequate provisions was made for the disposal of a portion of the land reserved for the use of Schools and it is presumed Congress would give the authority to sell on application for that purpose. The power to lease them for four years was given by the act of 1828- and also to protect them from trespassers.

The establishment of high Schools ought to be encouraged; and the means having been provided for the support of a University I would respectfully urge the necessity of its location and that provision is made for the commencement of some one or more of its branches. It is our duty to secure the means of education to every class of Society but Common Schools

are justly entitled above first care being the foundation of all others and an essential institution for the preservation of American Liberty.

The annual report of the Attorney General which is herewith presented and which has been prepared by that officer with the usual ability and propriety in the Judicial Department shows that there can be no efficiency in the Judicial system without its present organization. Things without general officers. The returns are imperfect and it is impossible to present its number and condition to the Government of the United States so as to entitle Districts to their full quota of Arms. By communications which have lately been received from the Secretary of War it appears that the quota which the is now authorized to receive is forty nine muskets for each of the last three years. So soon as none shall have made provision for their reception and distribution the war department will be informed of your actions that they may be transported to the Territory as early as practicable.

I propose to cause enquiry to be made why the Officers now in Commission who have not obeyed the requirements of the Law have been or should be continued.

The subject of the removal of the Indians from their Reservations I beg leave to suggest as one entitled to immediate consideration. Although no danger is apprehended at this time from their hostility their presence is prejudicial to the extension of the settlements in a district of country a part of which is known to be filled with the richest mineral and other portions covered with valuable groves of pine & oak. Their contiguity to the settlers enables them to commit depredations for which no remuneration can be obtained either from the Government nor the Indians. Those who have suffered from these depredations can have witness to the protracted delays in the adjustment of their claims or the injustice of both by their final rejection. And I recommend that the removal of all Indians within our limits except those who are settled as agriculturalists be urged upon Government as an act of humanity to them and as the only safe protection which it can give to that frontier.

The condition of the public offices I hope you will not deem unworthy of your attention. It is my duty to inform you that those officers whose functions can only be legally performed at the Seat of the Territorial Government have held their offices in places unknown or of very inconvenient access. Offices which are held only for the advantage of the incumbent for his profit and convenience rather than that of the public ought either to be resigned or abolished.

When the seat of Government became located under the authority of Congress our citizens had a right to expect that the offices of that Government would thereafter be held there as also the sessions of the assembly. Indeed this appears to be the only object for establishing a seat

Government could be implied if it was not
in positive requested by the Laws.

In fact, at last when I arrived here there was not a
single public record of the executive department at this place
nor any information given where the records could be found
The Government had in fact been carried off in portions
by each officer to his own home as though they were
his private property - the public being entitled to only the
temporary use of them while at the Capital.

Gentlemen of the House

A member of your body tendered his resignation of
his seat to the board of Commissioners of the County of Racine
whose Clerk sent by mail to the executive a certificate of the
fact dated on the 13th day of September last and which was
received here on the 18th. as this was an offer to the commissioners the resigna and not to the Governor and as there was
no Session of the assembly between its reception and the time
of the general election I did not think I was authorized by
the Law to issue a new writ of election and therefore now
now submit the subject with the papers received to you

Gentlemen of the Council

In the act of congress to establish this Government I
find the following Sentence: "The Governor shall nominate
and by and with the advice "and consent of the Council shall
appoint all judicial officers, Justices of the Peace, Sheriffs and
all Militia officers, except those of the staff and all civil
officers not herein provided for."

This is a duty enjoined upon the Governor and Council and
from which neither can be relieved by an act of the Legislature
In those instances, therefore where the Legislature has attempted
to assume this power or to delegate it to others, I shall feel
it my duty to make nominations to you that the offices
may be filled by your advice and consent.

It appears by the Executive record that several persons
were appointed to office by my predecessor after his removal
from the office of Governor. When appointments are made by
the Governor to fill vacancies it is his duty to send the
names of the persons he may have placed in commission
to the Council at its next session. The names of those who were
thus appointed by my predecessor I cannot present to you
because it is my opinion he had no authority for performing any Executive act after he was removed.

It is a provision of the act to which I have referred
that in case of the death, removal, Resignation or necessary
absence of the Governor from the Territory the Secretary
shall have and he is hereby authorized and required to
execute and perform all the powers and duties of the
Governor during such vacancy or necessary absence
until his successor was qualified, it was therefore

the duty of the Secretary of the Territory to fill all vacancies

Gentlemen

In this expectation I am disappointed and the interests of the citizens which I sedulously desire to promote by leave to add the assurances to the Gentlemen of both houses that I shall earnestly endeavor to cooperate with them in all such measures as may be proposed by them to correct the evils of Government, to secure the civil and political rights of individuals, to strengthen the foundations of Society or to render more permanent the institutions of freedom

Madison December 10th 1841

J. L. Doty

December 14th – 1841

on this day his Excellency Governor Doty by and with the advice and consent of the Legislative Council appointed and commissioned the following officers to wit

Daniel P. Stryker Hopkins Hunthut Joseph Conovers George Bennett Eldad Smith Isaac Harmon Alfred Carey Cowles Heath Sylvester B. Peck	Justices of the Peace	Racine County
Thomas Wright	Supreme Court Commissioner	Racine County
Orlan S. Head	Notary Public	Same
Isaac Harman	Master in Chancery	Same
Ezra Burgess	Justice of the Peace	Green County

Capt. Ld. His Excellency not the acceptance &c of Ezra Burgess bond which is filed –

Dec. 11th 1841

On this day His Excellency Governor Doty transmitted to the House of Representatives of the Territory of Wisconsin the following Communication.

I have the Honor to inform the House in reply to its Resolution of the 6th instant that I have Communicated to the House all papers and documents in my possession relative to the resignation or the alleged resignation of Thomas E. Tannehill.

Madison Dec. 11th 1841 –

J. D. Doty

December 16th 1846

On this day his Excellency Governor Lucy Sent to the Council the following Message.

To the Legislative Council of the Territory of Wisconsin

I have received the resolution of the Council this day passed, "that it is the undoubted right of the Council to call upon" the Executive of this Territory for such information "as may be in his possession and which the Council deem necessary "to the faithful discharge of their duties imposed upon it by the "laws of the United States and more especially the duties Connected with matters which the laws of the United States make it "the duty of the Governor to submit to the Council for their advice and Consent"

I do not perceive that as the Executive of the Territory I am called upon to express either my denial or assent to the general proposition contained in the resolution as to the right of the Council it may be true or not according to circumstances. But if there is any information in the Executive office which will enable the Council to discharge its duties faithfully to the people of the Territory It will afford me very great pleasure to communicate it.

There is no law of the United States with which I am acquainted which makes it the duty of the Governor to submit any matter to the Council but the names of the persons he may think fit to nominate to fill Certain Offices.

By a Resolution which accompanies the preceding" the "Governor of the Territory is requested to communicate to the "Council the number, names, and offices of the several officers "removed or suspended since the last session of the Legislative assembly with the reasons for each removal."

The names of all persons who have been appointed to fill vacancies which occurred since the last Session (with the exception of those alluded to in the Message of the 10th instant) will in due time be submitted to the Council many of them having been already presented. There is no record kept in the Executive office of "the number, names and offices of the several officers removed or Suspended" "with the reasons for each removal."

If the Council intend by these resolutions to assert that they have the right to advise the Executive to remove an officer and that the Executive Cannot make a removal until the advice and consent of the Council is given I must respectfully deny the right, and decline a Compliance with the Resolution.

The act of congress provides that the Governor shall nominate and by and with the advice and Consent of the Legislative Council shall appoint all Probate Judges Justices of the Peace, Sheriffs &c. This provision is copied from the constitution of the United States.

Where is no other provision authorizing the Council to participate with the Governor in the performance of Executive duties, it is obvious that its language limits the power of the Council to nominations made to it by the Governor, as a co-ordinate branch of the Government.

In organizing the Department of the General Government by the first Congress the question occurred in the House of Representatives in what manner the officers who were to fill them should be removable. It was contended that the power of removal was incident to the power of appointment and as the Senate was by the constitution associated with the President in making appointments the Senate ought in like manner to participate in the power of removal. But it was determined by Congress that the Power of removal belonged to the President by virtue of the clause in the Constitution vesting in him the Executive power, and other parts of that instrument; and this construction has since prevailed.

The provisions in the Constitution and in the act of Congress to establish this government are similar. They assign to the Council like duties and to the Governor his. The 5th section of that act provides "That the Executive power and authority in and over the said Territory shall be vested in a Governor" and that "he shall take care that the laws be faithfully executed". And in the 7th section it is declared that vacancies occurring in the recess of the Council shall be filled by appointments from the Governor." A Committee of the Senate of the United States made a report on the 25th of April 1822 in which it is declared that the words "all vacancies that may happen during the recess of the Senate" mean "vacancies occurring from death resignation, promotion or removal."

The Council then by its second resolution has called for information upon a subject which is not legally before it, upon which it has no right to act and which the executive is not bound by law or courtesy to communicate.

(6th) The Council assert that it has a right by law to call upon the Representatives of the Executive by resolution for the reasons why either have possessed or refused to fill or performed any other official act required of them by the act of Congress? The idea is preposterous that the Council was created by law such an Inquisitorial Tribunal.

By reference to the Executive Journals which is kept by the Secretary of the Territory the Council will perceive that very few removals have been made by me and I wish to assure the Council that those removals were made for reasons which were perfectly satisfactory to the executive and to the Public Generally.

Where an Officer holds that the doctrine of rotation in office is essential to the security and to the faithful administration of an office it would be very unreasonable in the Executive not to hold the same doctrine with him and remove him if he had not discretion or discretion enough left to induce him to resign. This

power to grant land in the way & manner the laws direct. Nevertheless, I have thought proper to direct these officers to report to me their proceedings in the premises, that they may be laid before the Council, for their information, and that the Council may advise what ought to be done in the premises.

The Public good seems to require that if the doctrine of rotation carries a man into office, the same doctrine should take him out again. If this is not done neither the public can have all the benefit of his principals to which they are entitled.

In conclusion, these views are submitted without any intentional disrespect to the Council, having no other purpose or any part than to preserve the just rights of each Co-ordinate branch of their Government.

Executive office
Madison Dec. 15th 1841.

A. D. Doty

Communication

To the Legislative Council
of the Territory of Wisconsin

In reply to the Resolution of the Council of the 14th instant I have the honor to transmit herewith Copies of all Communications & papers in my possession relative to the appointment of a Lone agent and the negotiation of the loan authorized by the act of 12th July 1841. Supplementary to the several acts relating to the Milwaukie and Rock River Canal.

Executive Office.
Madison Dec. 15th 1841.

A. D. Doty

Dec. 20th 1841

On this day His Excellency Governor Doty received a Communication from Robert Irwin declining the appointment of Justice of the peace in the County of Brown which was accepted and filed.

Dec. 20th 1841

On this day His Excellency Governor Doty received a Communication from Henry S. Leiby declining the appointment of Justice of the Peace in the County of Brown which was accepted and filed.

Dec. 23d 1841

On this day his Excellency Governor Doty proceeded with the advice and Consent of the Legislative Council appointed Winsted H. Martin of Beriah in the County of Walworth for the term of three years & Commissioned him accordingly

Calendar No. 235 1841

On this day this Resolution was read a second time and after the Question was put thereon the Council divided and the names being called for were as follows viz

Messrs Hollister
Whitehead
Patterson
Hollister
Hubbell
Douglass
Hamilton
Williams Mr. Daniel

} Against the Resolution

Gunnell
Casserly

Thomas Kelly } Resolution for a grant Carried

December 24th 1841—

To the Legislative Council
of the Territory of Wisconsin.

A Resolution authorizing the Secretary of the Territory to borrow not less than fifteen thousand Dollars and not more than twenty five thousand Dollars at a rate of interest not exceeding seven per cent to pay the expences of the present Session of the Legislature Assembly having been this day presented to me for my approval.

In Council assembled This Resolution and in compliance with the provisions of the act of Congress of March 3rd 1839 I proceed to state my objections why it ought not to become a law.

It contains no adequate provision to protect the people of the Territory against any demand which may be made upon them by the Creditor, in Congress Act. not specifically appropriate a sum equal to the amount borrowed and for the objects to which this money may be applied by the Governor and Assembly.

The Territory should be protected against any casualties contingencies by which a public debt may be created in consequence of a loan.

The Creditor should be required to take upon himself every risk & responsibility and the intention of the Legislature specified distinctly in the resolution that the Territory is not to be held in any manner liable for the amount which may be borrowed the interest thereon or any of the expenses of the negotiation or payment.

If the loan is effected it is for and on account of the municipal power of the Legislature Who in any manner participate after the passage of the appropriation bill and it ought to be regarded as a private and not a public loan. It was for this convenience to enable them to anticipate the time & payment for their services & thereby the amount due them from the government of the United States & the sum borrowed

it has not yet been necessary to the terms of the appropriation like the rest of the Territory and the Territory ought not to be responsible for the amount ever to make them compensation for their services. The Territory had no more to do with their payment than it had with the payment of any other officers of the United States on duty or who renders public service in this Country. Their Services are performed in obedience to and under the authority of an act of Congress and for their payment out of the Treasury of the United States ample provision had been made by law. The funds of the Territory cannot therefore be taken for this object. If there were twenty five thousand dollars now in the Territorial Treasury is it supposed that it could lawfully and rightfully be taken for this purpose?

The appropriations to be made by Congress must be made according to the act to establish this Government for. Those objects to wit: to defray the expenses of the Legislature & Secretary, the printing of the laws and other incidental expenses. The resolution provides that the money borrowed by the Secretary is "to be applied to the payment of the warrants of the fourth Section of the Legislative Assembly Twenty five thousand dollars" - nothing else. The whole - is a larger sum than can be required for this single object and if it was intended to make provision for all it ought to have been so expressed to meet the appropriation which it is supposed will be made by Congress.

Also the kind of money which the Secretary is authorized to borrow is not mentioned. If twenty five thousand dollars in depreciated paper should be by this resolution thrown into circulation it would inflict a serious injury upon the people of the Territory and totally destroy the currency for a time for it would be paid out in small sums and received only for immediate use. By waiting a few months this sum will be received in gold and silver or its equivalent from the United States and be a very valuable addition to the circulation of our Country. If certificates were issued to individuals in small sums payable by the Secretary on the receipt of the appropriations by him, I cannot but believe they could be used by the holders to very great advantage for themselves and the public, there being a certainty of their payment in good money in a short period than the depreciated paper of Individuals now is.

Executive office
Madison Nov 24th 1841

A. L. Dodge

Wednesday 7th 1841

The Council met this Morning pursuant to adjournment with the absence of all members — Present and Presiding the Honorable Speaker — Absent

Michael Hoffman	Justice of the Peace	Clarke County
William Cobridge		
Benjamin H. Field		Jackson County
Alvin Allen	Justices of the Peace	Clarke County
Peter Parker		
Daniel F. Miller	Justices of the Peace	Lawrence County
Daniel H. Vorhies		
Jonathan Keller		
Horace Scott	Justices of the Peace	Clinton County
Daniel G. Cutting		
John M. Merdock		
Benjamin F. Corbel		
George Nettleton		
Charles W. Conway	Notary Public	Scott County
Isaiah T. Clark	Auditor of the Territory	Territory
William Lemming Junior	Justices of the Peace	Appanoose County
Ebenezer Gaylor		
Stephen Peck		
Thomas Boynton		
Justus Carpenter		

To the Legislative Council
of the Territory of Wisconsin.

The Council having this day confirmed the nomination of Daniel Mahon as Sheriff of Wisconsin County & the same has withdrawn his nomination as Justice of the Peace for said County

Executive Office
Madison Dec. 23d 1841.

Wednesday 7th 1841

In the Hon. the Council met & was called to order by the President and filed —

(Wisconsin 28th 1841

On this day the following correspondence took place

Executive Department

Madison Dec 28th 1841

To the Hon. A. P. Field

Secretary of Wisconsin

Sir

The record of the Message and official acts of the Governor being made under his direction and preserved in your office I respectfully request that you will cause a copy to be made of the first Sentence of the Message delivered by Gov. Dodge to the Assembly at Belmont on the 26th day of October 1836. and to annex your official Certificate thereto. —

Very Respectfully

your obedient Servant

J. D. Doty

Extract of the Message of his Excellency Henry Dodge delivered at Belmont October 26E 1836.

Fellow Citizens of the Council and House of Representatives:

We have been convened under an act of Congress of the United States establishing the Territorial Government of Wisconsin for the purpose of enacting such Laws as may be required for the Government of the people of this Territory (after their approval by Congress.)

Office of the Secretary of the Territory
of Wisconsin
Madison Dec. 30th 1841.

I Alexander P. Field Secretary of the Territory of Wisconsin do hereby Certify that the foregoing extract from the Message of his Excellency Henry Dodge late Governor of the said Territory of Wisconsin delivered at Belmont on the 26th of October 1836 is a true copy and perfect copy from the Executive Journal now on file and in my possession.

In Testimony Whereof I have hereunto subscribed my name and affixed the Great Seal of the Territory at Madison this 30th day of December 1841.

A. P. Field
Secr. of Wisconsin

To the Honorable
The Legislative Council of Wisconsin

A number of persons doubting who assumes to be the Governor of Wisconsin Territory in a Speech delivered before the Council and Assembly informed them that he had received instructions from the President of the United States to create the impression that he had not yet received

To the Honorable Representatives on the 18th Ultimo
I had the honor to lay before you a Joint of Resolutions of the Legislature of Iowa Territory relative the Land Sales about to take place in the several districts which were submitted to Congress at its last session, for your consideration the following Correspondence.

I feel authorized to refer you Honorable body to the Message when he made his address and himself explained the reasons from which he had made the selection. That he therefore the language of my predecessor was not stated by me and therefore knew that every word of the quotation was correct

S. D. Doty

Executive office
Madison Jany. 12. 1842.

January 10th 1842

On this day His Excellency made the following communication to the House of Representatives.

To the House of Representatives
of the Territory of Wisconsin.

In compliance with the request contained in the Resolution this day adopted by the House I have the honor to communicate herewith Copies of the treaties concluded by me as Commissioner on the part of the United States with the several bands of the Sioux & Sac Nation on the 31st July and 11th August last. —

A copy of my report to the Secretary of War of the 31st July last explanatory of the former is also respectfully submitted —

S. D. Doty

Ex. off
Madison Jany 10. 1842

Ex. Dept.

To the Legislative Council
of the Territory of Wisconsin

Madison Jany 13. 1842

In compliance with the Resolution of the Council of this day I have the honour to submit herewith a copy of the report made to this office relative to Canal Lands by Byron Kilbourn Esqr on the 10th Instant.

The subject of the report and all the facts in my knowledge in relation to the Canal being now before the Assembly it is deemed unnecessary for the Executive to adopt any measure until the pleasure of the assembly is known

S. D. Doty

January 14th 1843

Be it known that his Excellency Governor Dodge by and with the advice and consent of the Legislative Council Appointed and Commissioned the following Officers -

Wm. Brunsfield	Judges of the Peace	Grant County
Lemuel Atwood		
Lyman M. Powell		
Bird Brown	Justices	Grant County
Lester Bradford		
Wm. Parker	Supreme Court Comr.	do do
Lester F. Cole	Justices of the Peace	Dodge County
Edmund M. Long		
Joseph Smith		
Edmund F. Ogden	Chief Engineer of the Territory	
Henry Jones	Inspector	Portage County
Clark Whitney	Justice of the Peace	Portage County
Joseph R Brown	Same	St. Croix County
Peter Pete	Same	Sauk County
B. Hinchliffe	District attorney	Dane County
Albert W. Paris	Notary Public	do do
Alex Rowdoille	Justice of the Peace	Sheboygan County
S. A. Scammell	Justices of the Peace	Walworth County
Austin H. Wright		
Isaac W. Wheeler		
Milo Kelsey	Notary Public	Walworth County
George Gale	Supreme Court Comr.	do do
George Gale	Master in Chancery	do do
Henry Jones	Notary Public	Portage County
Vernon Dickenson	Justices of the Peace	Milwaukee County
Joseph M. Stilwell		
Edmund D. Clinton		
Chas S. Bristol		
Lewis Fonnekane	Notary Public	do do
Harvey Young	Justices of the Peace	Iowa County
Samuel McClure		
Julius Sedelhorst		
Wm P. Warwick		
David Hudson		
Ellsbon A. Townsend		
Chas Lee		
William Henry		
Malcolm Blackwell		
Wm S. Kelly	Auctioneer	Iowa County
Wm Tudor	Public Administrator	do do

January 17th 1842

On this day his Excellency Governor Doty by and with the advice and consent of the Legislative Council, appointed and Commissioned Augustus H. Reed Sheriff of Dane County

January 18th 1842

On this day his Excellency Governor Doty by and with the advice of the Legislative Council, appointed and Commissioned George Medler Smith Sheriff of the County of Iowa

To the House of Representatives
of the Territory of Wisconsin

City of
January 17. 1842.

I have the honor to communicate herewith to the House a copy of a Report made to this office on the 10th instant by the agent appointed by Henry Dodge Esqr to sell certain Bonds of the Territory to the amount of one hundred thousand dollars

I. D. Doty

To the Legl Council
Of the T. of W.

In compliance with the Resolution of the Council of the 15th instant the petitions and Documents in relation to the appointment of the Sheriff of the County of Iowa are herewith transmitted

Ex Off
City of
Madison January 17th 1842.

I. D. Doty

To the Legislature of the Ty of Wisconsin

The petitions of the inhabitants of Grant County asking for the appointment of a Sheriff for that County which have been received at this office are herewith submitted to the Council.

Ex Off
City of
Madison January 19 1842

I. D. Doty

To the Legislative Council of the Ty of W.

By a resolution of the Council this day passed the Executive is requested to communicate to the Council all petitions remonstrances and other documents in his possession relative to the appointment of Sheriff of Brown county"

In compliance with the resolution Letters Petitions and remonstrances in favor and against the appointment of J. Charles Vorgan and George Lowe are herewith submitted being all the documents in my possession on this subject.

I beg leave to call your attention to the petitions

[illegible]

[illegible] J. G. Doty.

[illegible]

In the Legislative Council
of the Territory of Wisconsin
I do hereby certify and Declare the Resolution
respecting the Legislature of the State of New-York
& which the Secretary Doth Request Me to Communicate
Respectfully Communicate to the Council Copies of a
Correspondence which has occured between the Governor
of New York and Myself on this Subject during the
Late Session

[illegible] J. D. Doty.

Ter. Off.
Mr. Jany 21. 1842

Also a Joint Resolution & Digest an act to incorporate
the Trustees of the Platteville Academy Jany 21. 1842

January 18th 1842

On this day his Excellency Governor Doty by and
with the advice & Consent of the Legislative Council
aforesaid and Convened adjourned the following
Officers to wit;

George Wallace Smith	} Sheriff	} Iowa County
Patten Strong	} Justice of the Peace	} do do
Francis Lewis	} Sheriff	} Brown County
John Vieau & al	} Justice of the Peace	} do do
Samuel Myers	} do do	} do do
Nathan Boorman	} do do	} do do
Lewis Grignon	} do do	} Portage County
Alexander Grant	} do do	} do do

[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

In the Senate of Representatives
of the Territory of Michigan.

The act entitled an act to incorporate the Detroit and Pontiac Railroad Company" it is contended is void because it embraces more than one object not expressed in the title thereof as required by the act of Congress of June 15th 1836 entitled "An act to establish the Northern Boundary line of the State of Ohio" and also the Constitution of the United States which declares that the right of citizens of the several States to pass and repass through every other State shall not be abridged.

The act entitled an act to incorporate the Detroit and Pontiac Railroad Company" is not void because it embraces more than one object not expressed in the title thereof as required by the act of Congress of June 15th 1836 entitled "An act to establish the Northern Boundary line of the State of Ohio" and also the Constitution of the United States which declares that the right of citizens of the several States to pass and repass through every other State shall not be abridged.

Said act is a charter to a private Corporation of the right to construct a navigable road, and it grants the exclusive privilege, for certain sufficient to keep toll upon all persons (except post Postmasters) and the Carriages and animals driven by them on the United States road which leads from Detroit to Pontiac and who cross the Rock river at Janesville on the bridge which the Company is authorized to construct.

It grants the privilege to the Company to build a bridge of such materials as they choose and to charge tolls for its use for twenty five years. During this term the County of Rock is permitted to levy it upon the Corporation, that the County may pay the Company the original cost and interest at seven percent and make it a free bridge.

And if the act is valid no free bridge can be erected at this point where the road crosses the river by either the United States or the County during that time without first buying the Company the preceding dam.

If the Legislature had the power to grant by legislative act granting the right to a company to tax the Postmasters upon a United States road and to deprive the citizens of the County and of the Territory of the privilege of a free bridge.

For these reasons there is a manifest propriety in enquiring the intention of a provision which has been omitted that this act by which a public franchise is given to individuals and the general government deprived of the right to construct a bridge on its own highway should be actually submitted to Congress before it takes effect.

The Terms of the act indicate that the abutments of the bridge is to rest on the land of a citizen with or without his consent For this purpose it authorizes the Company to take as much of his land as may be necessary" It undertakes to compel the owner to choose one of three men to determine the value of the land in conjunction with two others of the Company and the owner cannot agree upon a fair. My objection to this provision is contained in the following Clause of the second article of the Ordinance of Congress of 1787 Viz;

"No man shall be deprived of his liberty or property

"and by the Secretary and his agents or the laws of the Said
"Territory should the public exigencies make it necessary for the common good
"for the United States to take any persons property or to demand his particular
"services full compensation therefor shall be made for the same."
Executive Department
Madison January 14. 1842.

J. D. Doty)

To the Legislative Council
of the Territory of Wisconsan

I herewith present to the Council a recommendation of Enos S. Baker Esqr by the members of the House of Representatives from the County of Grant to be Sheriff of that County which was received on Saturday last after the adjournment of the Council

Ex Dept
Mr January 24. 1842.

J. D. Doty

January 24th 1842

On this day His Excellency Governor Doty by writte the advice and consent of the Legislative Council appointed and commissioned the following officers to wit

James Morrison } Treasurer of the Territory
Alanson Sale } Librarian of the Territory } Wisconsan

To the House of Representatives
of the Territory of Wisconsan

The act which originated in the House entitled an act to incorporate the Janesville Bridge company was returned by me to the House with my objections to its provisions, yesterday before 12 o'clock

The House was not in Session having adjourned at 3 am informed immediately after the close of the business of the morning

The act and message were therefore delivered to the Chief Clerk who was at his desk in the Hall in order that there might be a strict Compliance on my part with the provisions of the act of Congress entitled "an act to alter and amend the Organic Law of the Territory of Wisconsan and Iowa"

I avail myself of the first session of the House after the expiration of the three days allowed to the Executive for the examination of the Laws presented for his approval; to communicate these facts and particularly to inform the House that the return of the act with the objections within that time was prevented only by its adjournment

Ex Dept
M. Bay 3. 6. 1842

J. D. Doty

January 24th 1842.

On this day, Alfred Brunson Notary Public for the County of Crawford filed his Bond which was approved by the Governor Also his oath of office

Also " 26th

Julius J. Clark filed his oath of office as Auditor of the Territory —

Also " 26th

A. Botkin filed his oath of office as Supreme Court Commissioner of the County of Iowa. —

Also " 27th

Abram Lull filed his oath of office as Librarian of the Territory.

January 26th 1842

On this day his Excellency Governor Doty by and with the advice and consent of the Legislative Council Appointed and Commissioned the following officers viz

Anson V. Pope, Nathan S. Storrs, Elias D. Whiting	Justices of the Peace	Rock County
Jesse Mead, Edwin M Rice	Justices of the Peace	Walworth County
Philo Belden	do do	Racine County
Francis Movers	Inspector	Sheboygan County

On this day Governor Doty approved and filed the bond of James Dudley Notary Public for Grant County

To the House of Representatives
of the Territory of Wisconsin

In reply to the resolution of the House of the 26th inst a copy of a letter to the Governor of Michigan from the Governor of this territory is herewith submitted

I have no knowledge of any other correspondence under the resolution of the Assembly passed on the 13th February 1841. It does not appear from the records on files of this office that an answer has been given by the Governor of Michigan or that the Legislature of Michigan has taken any action on the subject.

I. D. Doty

D. O.

Jan 27th 1842 —

Wm Fowler, Randall Abner jr, John Johnson jr, David Johnson	Justices Peace	Calumet County
O'Connah Dickie	Judge of Probate	
O. D. Fowler	Justices Peace	

January 25th 1847

On this day his Excellency Governor Dodge by and with the advice & Consent of the Legislative Council appointed & commissioned the following officers to wit

Garrett Oliver	Justices of the Peace	Grant County
Luther Radford		
James Dunley		
Thos. J. Emerson		
Wm. C. Bryant		
James Goodhue		
Nelson Dewey	Master in chancery	
James Goodhue	do do	
Ben C. Eastman	do do	
George Madeira	Public Administrator	
William Knowlton	Supreme Court Commissioner	
Wm G. Thompson	do do	
George W. Larkin	Notary Public	
John Freeman	do do	
H. Robbins	Auctioneer	

William Dyckes	Justices of the Peace	Brown County
Elon B. Abbott		
S. B. Ackerwood		
John McCarty		
George W. Lawe		
Alonzo D. Dick		
Edwin Hunt		
Henry Eastman		
Dan W. Hubbard		
Godfrey Miller		
Lewis Rouse		
Erastus Bailey		
Chas C. P. Arndt	District attorney	
Chas C. P. Arndt	Judge of Probate	
Chas C. P. Arndt	Notary Public	
Antoine De Quindre	Auctioneer	
Orra Bierdsley	Justices of the Peace	Racine county
Daniel Carpenter		
James W. Vail	Auctioneer	
Hiram C. Britain	Justices of the Peace	Jefferson County
James L. Fish		
Silas Steadman	Notary Public	Sheboygan County
John F. Gibbs	Public Administrator	
Robert M. Eberth	Inspector of Provisions	Manitowoc County
Alfred Brandon	Justice of the Peace	Crawford County
Jany 31st David Ward	Public Administrator	Brown County

To the Senate and Assembly
of the Territory of Wisconsin

In case the House is pleased to call for the information in connection with its resolution of yesterday all the information in this department touching the ascertainment extent of the issuing of bonds and negotiation of the same under color of the Act to provide for the construction of the Milwaukee and Rock river Canal.

There is no record of the form of the Bonds "or certificates of stock issued on the 15th of March 1841. The certificates issued under the act of the 26th of February 1839 have been returned to this office and are cancelled. None of those last issued by Governor Dodge have been returned. There are therefore one hundred thousand dollars of these bonds now out bearing an interest of seven percent from the 15th of March last; and I do not perceive that any adequate provision has been made by law for their redemption or the payment of the interest accruing upon them.

A copy of the Report made to this department by the agent of Governor Dodge to negotiate the loan of one hundred thousand dollars and which was presented by him on the 10th instant had been heretofore communicated to the House. The power appointing the agent was revoked on the September last and on the same day he was requested to account for the bonds placed in his hands. No other communication than the above Report has been received from him.

Ex D.

In Jany 28. 1842.

J. D. Doty

Feby. 2d 1842

On this day His Excellency Governor Doty by & with the advice and consent of the Council appointed and commissioned

Walworth County

Justices of the Peace
- Norman M. Rockwood
- Ingwert Braisted
- Jethro Thorne Sprowle
- William Bell
- Israel Williams
- Christopher Dougherty
- Daniel B. Madoras
- Lewis L. Cook
- Sheldon Walling

Auctioneers
- Benjamin Blackman

Master in Chancery
- Thomas R. H. Barker

Judge of Probate
- John H. Potter

District attorney
- Robert Holly Gaye

February 7th 1842

On this day his Excellency Governor Doty came with the advice and consent of the Legislative Council appointed Joseph Woodbridge Sheriff of the County of Milwaukee and Address a Commission according —

C. Dunn accepts the office of Justice of the Peace Green County.
Gave Bond & took the oath of office

W. N. Seymour	Same	Same	——	Dane County
A. S. Hosmer	Same	Same	——	Milwaukee
E. D. Clinton	Same	Same	——	do
J. A. Messenger	Same	Same	——	do
Cyrus Hawley	Notary	Public	Same	do
Henry Jones	do	do	Same	Portage County
Daniel Wells	do	do	Same	Milwaukee
Robert Doherty	do	do	Same	Iowa
Joseph C. Knapp	do	do	Same	Racine

To the Legislative Assembly
of the Territory of Wisconsin

In compliance with the request of the Legislature of the State of Alabama I have the Honor to present for your consideration the Resolutions of the Legislature of Said State in relation to the admission of the republic of Texas into the union of the United States of America.

Executive office.
Madison February 4th 1842.

A. D. Doty

February 9th 1842

On this day his Excellency by and with the advice & Consent of the Legislative Council appointed and Commissioned the following Officers.

Daniel S. Lutherland	Public Administrator	Green County
Milo Goodrich	District Attorney	
John W. Denniston	Master in Chancery	
Jeremiah Bridge	Notary Public	
Joseph McCracken	do do	
John Messersmith Jr.	Justice of the Peace	Iowa County
J. C. Arnold	Supt Court Comm's	returned Comm. Feb 26. 42
Don A. J. Upham		
Wm W Kellogg	Justices of the Peace	Milwaukee County
John Lane		
John Payne		
Edward N. Fosten	Sheriff	Jefferson County
Asa E. Ewell	Justices of the Peace	
Erastus C. Montgue		

[illegible] to incorporate the Village of Racine. The Second Section is [illegible] Section of said Act [illegible]

"If it was intended by this bill to revive an act which was repealed on the 19th of February 1841. to incorporate Racine Commercial it is ineffectual & it does not create the title of that act nor give the date of its passage.

These reasons appear to be a very other act to incorporate Commercial by that name.

The first section declares that certain persons (naming them) and all other persons who may hereafter become Members of said Corporation in the manner herein after provided are thereby incorporated &c" and the third section contains a like provision. There is no provision made upon the subject in the bill nor is there a provision to revive any other law or to confer any power upon either of the Corporations to do any other act than to elect its officers. If it therefore a Law without a any alteration & it is presumed some part of it had been inadvertently omitted.

The sixth section provides that "This act shall be in force from and after its passage."

For these reasons I decline signing this bill.

Executive Office
Madison Feby. 9th 1842.

I. D. Doty

Feby 8th 1842

George Cargill Sauk County } Justices of the Peace appointed
Charles N. Pind Dane County } Mis Comm & took their seats

To the Legislative Assembly
of the Territory of Wisconsin

The bill to amend the act to incorporate the village of Racine it herewith returned and I object to it passage because I consider the original act void for reasons stated in my address to the assembly on the 11th. of December last in relation to acts of Incorporation.

And I also object to it because it increases the taxes upon the property of the inhabitants instead of diminishing them

It exempts from all taxation the property of incorporated institutions - And under one of its provisions the land of a citizen may be taken for streets without his consent and instead of granting him remuneration he may be compelled to pay the town authorities for taking it from him

Executive office
Madison Feby 11th 1842.

I. D. Doty

To the Legislative Council
of the Territory of Wisconsan

The nomination of Enos S. Baker Esq to be Sheriff of the County of Grant being still before the Council on a motion to reconsider the vote passed on Saturday last it is my duty to submit to the Council a paper which have received in relation to that nomination which is signed by nineteen Members of the House of Representatives-

Executive office
Madison July 10th 1842.

J. D. Doty

To the Legislative assembly
of the Territory of Wisconsan-

The publishers of the Law Library in Philadelphia have addressed to this department a letter in relation to the amount claimed to be due to him for that work sent to the Wisconsan Library for the past four years his account amounting to $56 and letter are herewith submitted-

Executive Department
Madison July 11th 1842.

J. D. Doty

To the Legislative Council
of the Territory of Wisconsan

The Bill entitled an "act to amend an act entitled an act to change the corporate limits and powers of the Town of Green Bay is herewith returned without my signature, I object to it for the reasons stated in my address to the assembly on the 10th of December last in relation to acts of incorporation and especially Village charters from which I consider the original Charter was void from its passage and cannot therefore be now amended. It was also void because the name of Green Bay was given by it to two towns which had been previously created and established according to Law by the Proprietors by other names The right of a proprietor to give a name to his town and to retain it during his own pleasure can no more be taken from him than his right of Property in the town. And I think it would be equally competent for the Legislature to change the name of a citizen without his consent. The first Charter of this Town was granted without the Knowledge or petition of its inhabitants and the entire vote given for the adoption of the Last Would I am informed about twenty. The general Laws are sufficient to secure the peace and for the government of towns of the size of this. Such acts of incorporation are public Nuisances; and then all the powers of the Peace constables and other Civil officers do their duty effect is generally to compel the removal of property in these towns to a distant locality of officers and persons having no property who in fact render no beneficial services to the public ~~Both charters were herewith~~

This bill authorizes additional taxation, at the present time of which the taxed should be diminished in this and in every

[redacted] part of Michigan and therefore subject to it.
These Claims were submitted to Congress and a Committee
of the House reported a Resolution on the — day of —
disapproving of them. This resolution will bear the respectfully
submitted and the question upon them may perhaps be considered
at still pending before that body they may for this reason be
regarded of doubtful validity.—
Executive department
Madison Feby 11th 1842—

S. C. Dodge

February 14th 1842.

On this day His excellency Governor Doty by and with the
advice and consent of the Legislative Council appointed
and commissioned the following officers to wit:

P. H. Watts
Darwin Clark
George W. Slaughter } Justices of the Peace } Dane County
C. D. Williamson

Feby 16th 1842

Enos A Baker } Sheriff } Grant County

Feby 14th 1842

Israel G. Chandy } Supreme Court Comr. } Rock County

Feby 15th 1842

George W. Larkin Notary Public in Grant County filed his Bond
and oath of office which was approved by the Governor

To the Legislative Assembly
of the Territory of Wisconsan—

It is ascertained that a part of the Western boundary of
the State of Michigan as presented by the act of Congress of
the 15th of June 1836. is an impracticable line there being no
such Natural boundary as is therein described
The lake of the Desert does not discharge its waters into the
Montreal river.
It having therefore become necessary to designate a new line
I avail myself of the occasion to present the subject to the
notice of the Assembly, that such measures as are proper
may be adopted to procure the recognition by the government
of the United States of the boundary which was established
between Michigan and Wisconsan in the year 1805. To effect this
perhaps the best authority will be the admissions and agreements
of Michigan herself on the 26th of January 1836. Her Legislature
passed an act entitled an act to enable the people of
Michigan to form a constitution and State Government in
which Michigan set forth her own right and thereby
admits as fixed that it concerned the right of Wisconsan

to a line to be drawn from the Southerly head of Lake Michigan to the northern extremity of Lake Lake and thence due north boundary of the United States."

That act declares that whereas it is ordained and declared in & by the (Here insert Preamble & 1st Section of the act)

(Delegates) were elected under this act who met in Convention and formed a constitution which was subsequently adopted by the people of Michigan for the district of country which was embraced within the limits of the territory" as established by the act of Congress of the 11th of January 1805." This is the language of the constitution. The inhabitants of the country beyond those limits were not nor had they an opportunity to be represented in the convention which formed that constitution nor has it been adopted by them. It is manifest from the provisions of the Ordinance that they belonged to the Fifth State to be formed in the North western Territory, and that Michigan as a state in the Union had no jurisdiction over them. This was the doctrine of Michigan until she was admitted and I think it was correct.

6 of."

Mr. Feby 16. 1842

S. D. Doty

To the House of Representatives
of the Territory of Wisconsin

I return the bill entitled an act to change the corporate limits and powers of the town of Milwaukee without my signature.

My objections to this bill may be found in that part of my address to the assembly on the 10th of December last which relates to incorporations. I consider the original charter void and therefore that it cannot be amended. I have examined the bill once do not find there is any section in it which agrees with the title.

And I further object to it because the original charter and this bill provide for the enactment of laws and ordinances and that they shall have effect whether they are submitted to Congress or not. These laws effect the property and the personal liberty of the citizens. This I consider a palpable violation of the acts of Congress.

The 9th section increases the taxes one percent and contains a repetition of the powers granted in the 6th section of the original charter-

And I object particularly to the first, fifth, sixth, eighth twelfth, thirteenth and fourteenth sections. Those sections which authorize the sale of land for taxes or assessments are understood to be in addition to the 14th section of the act to alter the corporate limits of the town of Milwaukee - that section contains a clause that the treasurer shall make a conveyance to the purchaser of lots sold and that the conveyance shall vest in the person or persons to whom it shall be given an absolute estate in fee simple and the said conveyance shall be conclusive evidence that the sale was regular according to the provisions of this act." If such a

provision and practice to accommodate for the town authorities to comply with any of the provisions of the act when they desired to divest a citizen of his property.

Very Offt
Jn. Fitzpatrick

Jn. Feby 19. 1842

A. L. Lott

To the Legislative Assembly
of the Territory of Wisconsin

I return herewith without my signature the Bill entitled "an act to provide for the payment of the expences of the Legislative Assembly therein named and for other purposes"

I object to the bill because it exceeds the estimate of the Secretary of the Treasury for those expences eight thousand dollars to meet which an appropriation has been asked of congress. It therefore creates this amount of debt, for which the Territory becomes immediately chargeable -

The amount appropriated by this bill for printing by this bill is seven thousand six hundred and forty two dollars and for newspapers eight hundred and fifty seven dollars these exceed the amount for which an appropriation has been asked Three Thousand four hundred & ninety nine dollars.

It contains many items for which no appropriation has been asked of Congress some of which are for expences incurred in previous years; yet the first section declares that they shall be paid out of the sum appropriated by congress for defraying the Expences of the Legislative Assembly for the year 1842." -

It contains several appropriations to members for services beyond the amount allowed to them by the act of congress. I think they can no more increase their pay for the duties incident to their offices than that of Secretary or Governor of the Territory -

The items of the bill do not conform to the provisions of the act of the assembly entitled an act to prescribe the members duties and compensation of the officers of the Legislative Assembly and for other purposes; approved Janry. 1841. and it contains a clause to repeal the provision in the 6th section of that act which it proposes in the bill by appropriations in violation in express terms of that clause.

But I object to the whole bill because it appropriates more money than has been asked of Congress and more than we have any reason to believe Congress will hereafter pay to relieve the Territory from a debt created for such a purpose. If the Amount estimated for

can be executed it is obvious, there is no limit to the number which might be erected and by the rule established it is already to appropriate one hundred thousand dollars at twenty thousand for the expences.

Deeming the bill therefore a violation of the acts of Congress and of our duties and that it contains large sums which may become chargeable upon the people of the Territory at a sublice date I am compelled to refuse my Signature to it—

Executive Department
Madison Feby. 18. 1842

A. D. Doty

To the Legislative Council
of the Territory of Wisconsan

I object to the bill entitled an "act to repeal the several acts providing for aiding in the construction of the Milwaukee and Rock River Canal and to provide for the temporary management and control of the Canal lands" because it is provided in the second section that there shall be appointed for the management and control of said land by joint ballot of the two houses of the Legislative assembly two Commissioners who shall be styled agents of the Legislative assembly whose term of service shall be one year and until their successors shall be chosen, or until the agency shall be abolished, and the said agents shall be designated one as Register and one as receiver, the said Commissioners shall each receive for their services an annual salary of one hundred and fifty dollars &c. I approve of every other provision in the bill but this. I do not perceive why these officers should be styled agents of the Legislative assembly when the duties required of them constitute them officers of the Territory" does the assembly intend to assume to itself the sole control of the Canal fund and of the powers of the government of Wisconsan and thus constitute itself an independant organ of the Government? The agents of this government to execute the Laws I consider its officers by whatever name they may be designated.

This bill transfers the appointing power from the Governor and Council to the Council and House of Representatives the said Register and receiver being civil officers their appointment by joint ballot of the two houses is in violation of the following provisions of the act of Congress establishing the Territorial government of Wisconsan and therefore I am compelled in the constitutional discharge of my duties to return it to the House in which it originated without my signature.

"Section 7. The governor shall nominate &c (to the end of the section)—

Ex. of Madison
Feby 18. 1842.

A. D. Doty

March 5th 1842

On this day his Excellency Governor Dorty caused Commissions to issue to the following Officers which had been confirmed by the Legislative Council on the 18th day of February A.D. 1842 to wit

William Balcom	Justices of the Peace	Lowe County
Martel Mecker		
Jack V. Landrum		
David Southwick		
Lucius S. Borden		
Vice Pres. Jno. R. Lecitto	Supr. Court Comr.	Do do
Benj A. Jenkins	Justice of the Peace	Milwaukee County
Owen Mariett	Inspector —	
Andrew J. Vilmot	Auctioneer	
A. W. Parris	Supr. Court Comr.	Dane County
Julius T. Clark	Land Agent	
Isaac C. Loomis	Justices of the Peace	Racine County
Asa Pierce		
David Noggle	Master in Chancery	Rock County
Lund B. Cooper	Administrator	
Joseph Colby	Justice of the Peace	
Jabez Wilkins	Justice of the peace	Winnebago County
Clark Dickinson	Judge of Probate	
Robert Kelly	Justice of the peace	Walworth County
Joseph Parish	Justice of the Peace	Grant County
Chauncey Spencer	Justice of the Peace	Brown County
Henry Conklin	Justice of the Peace	Fond du Lac County
E. D. Crosby	Justice of the Peace	Portage County
William Cady	Justice of the Peace	Crawford County
Gerry Putney	Justice of the Peace	Milwaukee County
Wm P. Nesbit	Justice of the Peace	
Jesse Smith	Land	
John Cooper	Land	
Edward Wilcox	Land	
C. L. Rockwood	Land	
Thos J. Noyce	Land	Milwaukee County
Chas P. Evarts	Land	
Geo. Reed	Land	
Wm A. Prentice	Master in Chancery	
Leonard P. Gray	Land	
Clint A. Walworth	Land	
Peter Lynch	Justices of the Peace	Washington County
John Armstrong		
Edward Dimlin	Notary Public	
Sam[l] F. Chipman	Justices of the Peace	Rock County
Sam[l] Merrell		
Jasper P. Sears		
Phineas S. Steward		
Rhinehart Ostrander	Notary Public	

Vice Pres. Jno. R. Lecitto Commissioned Feb 18th

Chancellor Commissioned March 1st 1842

Feby. 18th 1842 Continued

Wm Fowler Randal Blood Jun. John Johnstone Jun. David Johnston	Justices of the Peace	Brown County & the Counties thereunto attached for Judicial purposes.
Lorrain S. Pease	Justice of the Peace	Brown County Court Returned
Lorrain S Pease	Notary Public	
John P. Arndt	Supr. Court Comr.	
Henry E. Eastman	District Attorney	
Wm Mitchell	Judge of Probate	
M. L. Martin	Supr. Court Comr.	
Lewis K. Mitchell	Auctioneer	
Alexr. H. Arndt	Justice of the Peace	
Chase	Justice of the Peace	Jefferson County
Owen Campbell C. W. Kent	Justices of the Peace	Racine County
Elijah Steel	Master in Chancery	
Lorenzo Jones	Notary Public	
Gurdon H. Merrill	Auctioneer	Portage County
Z. H. Bird	Same	
Forrester Dieter	Judge of Probate	
Thos. C. Nelson	Public Admr.	
Thos. C. Nelson	Justice of the Peace	
David Coons C. J. Coon	Justices of the Peace	Winnebago County
Nathan Walker F. D. Bowman Lebbeus Heath	Justices of the Peace	Fond du Lac County
Benj. Jones	Justice of the Peace	Manitowoc County
Robert D. Lester	Sheriff	Crawford County

1844
March 4th John P. Arndt } Judge of Probate } Brown County
" " Dan'l. F. Kimball } Justice of the Peace } Rock County
— — Anson Dart } Same } Marquette County
Dan'l M. Whitney } Auctioneer } Brown County
David Jones } Sheriff } do do

Feby. 22d. 1842 —

On this day his Excellency Governor Dodge appointed the following persons to hold their offices until the end of the next session of the Legislative Assembly - John Morrison Judge of Probate Jefferson County - George D. Dousman } Receiver } of the Board of Canal Commissioners
Thos. J Noyes } Registr } under the act to provide for the com
Jas Saunderson } acting Comr. } struction of the Milwaukee & Rock
River Canal —

February 18th 1842.

On this day His Excellency Governor Doty by and with the advice and consent of the Legislative Council appointed and commissioned the following officers in the Wisconsin Militia to wit;

George C. Grant	Major General	
John Bullen	Brig. General 1st. Brigade	
Jonathan Wheelock	Brig. General 2d Brigade	
Thomas Dillafield	Inspector of 1st Division	
John Cooper	do 1st Brigade	
John McCarty	do 2d Brigade	
Marshal M. Strong	Judge Advocate 1st Division	
John F. Potter	do do 1st Brigade	of the Division No. 1
Lewis Allen	do do 2d do	
Talbot C. Coudsman	Quarter Master 1st Division	
Jarvis L. Woodside	do do 1st Brigade	
Abraham Vanderpool	do do 2d do	
Elephalet Brunson	Paymaster 1st Division	
Edward D. Dalton	do 1st Brigade	
Burley Follett	do 2nd do	

James Collins	Major General	
George W. Hickox	Brigadier General 1st Brigade	
Thos. P. Burnett	do do 2d do	
Jeremiah E. Dodge	Inspector of 2d Division	
Daniel S. Sutherland	do of 1st Brigade	
Ada E. Hough	do of 2d do	
Charles J. Learned	Judge Advocate 2d Division	
Nathaniel D. Hubbard	do do 1st Brigade	of the Division No. 2
Mathew A. Paine	do do 2d do	
James B. Estes	Quarter Master 2d Division	
Henry M. Billings	do do 1st Brigade	
Samuel Wilson	do do 2d do	
Francis Kirkpatrick	Paymaster of 2d Division	
Cyprus Leland	do of 1st Brigade	
Samuel Gilmore	do of 2d do	

William R. Smith	Adjutant General	
John M. Cooper	Quartermaster General	Wisconsin Militia
Wm B. Sheldon	Commissary General	
Richard N. McGown	Paymaster General	
E. P. Walcott	Surgeon General	
Asahel Finch, Junr	Judge Advocate General	

David Ross — Surgeon 1st Regiment Wisconsin Militia

Robert W. Gorey	Colonel	1st	Regiment		
William Dutton	Lieut. Col.	1st	do		
James S. Bowden	Major	1st	do		
John Phillips	Captain	Company	H	1st	Regt
John W. Arndt	do	do	6	2d.	do
John F. Meade	1st Lieut	do	6	2d.	do
Charles White	2d do	do	6	2d.	do
Samuel Hasklins	Captain	do	13	2d.	do
Talbot Nourse	1st Lieut	do	13	2d.	do
James Thurber	2d. do	do	13	2d.	do
Pliny Pierce	Captain	do	6	2d.	do
Alfred Wood	1st Lieut	do	6	2d.	do
Peter P. Smith	2d. do	do	6	2d.	do
Alexander Grigson	Captain	do	G	2d.	do
William Powell	1st Lieut.	do	G	2d.	do
Matthew D. Hogarty	2d. do	do	G	2d.	do
Alonzo Platt	Lieut Colonel			5th	Regt
Benjamin F. Wood	Major			do	do
Theodore Bingham	Quartermaster	Sepr.		Bat.	No 1.
Peter W. Mattes	Major	Sepr.		do	No 2.
James McManville	Major	Sepr.		do	No 4. Refused to accept
Lett Reese	1st Lieut	volunteer	Comp'y	Green Bay	
Geo. W. Lowe	2d. do	do	Comp'y	Green Bay	Rangers
Saml. S. Brown	Capt.	Comp'y.	A	Separate	Battalion
John Bush	1st Lt.	do	A	do	do No 5.
Pascall Aldrich	1st do	do	B	do	do No 5.
Wilson N. Crosby	2d. do	do	B	do	do No 5.
Samuel Granger	Capt.	do	C	do	do No 5.
Joshua S. Taylor	2d. Lieut	do	C	do	do No 5.
Charles W. Bangs	Capt.	do	D	do	do No 5.
James M. Scott	1st Lieut	do	D	do	do No 5.
Charles M Oakes	2d. do	do	D	do	do No 5.
Christopher Earle	Surgeons Mate			do	do No 5
Geo. W. Leatherstonhaugh	Capt.	Company	K	2d.	Regt.
C. D. Fowler	1st Lieut	do	K	2d.	do
David Fowler	2d. do	do	K	2d.	do
Abel W. Wright	Adjutant			6th	do
Warner Earle	Quarter Master			6th	do
Horace Coleman	Paymaster			6th	do
Lewis N. Wood	Surgeon			6th	do
James M. Mc Nish	Surgeons Mate			6th	do
Rufus B. Clark	Captain	Company	A	6th	do
Lucius Allen	1st Lieut	do	A	6th	do
Hiram Perry	2d Lieut	do	A	6th	do
Perry G Hovington	Capt	Comp'y	B	6th	do
Orison Baldwin	1st Lieut	do	B	6th	do
Daniel W. Field	2d do	do	B	6th	do
Perry H. Staunton	Capt.	do	C	6th	do
Asa D. Williams	1st Lieut	do	C	6th	do
Luther Wood	2d do	do	C	6th	do

Orrin Rockwell	Capt. Comp'y. A	6th Regt.
Lucius Porter	1st Lieut do	6th do
Merritt Wheelock	2d do do	6th do
Experience Cuttsworth	Capt do B	6th do
Geo. W. Ellsworth	1st Lieut do B	6th do
Roswell Welsfield	2d do do B	6th do
Turnbull S. Thomas	Capt. do C	6th do
Hiram N. Stone	1st Lieut do C	6th do
Aaron N. Taggart	2d do do C	6th do
Rinehart	Capt. do D	6th do
Cyrus Church	1st Lieut do D	6th do
Collins Northrop	2d do do D	6th do
Elias L. Chapman	Capt do do A	4th Regt
Samuel A. Bartlett	1st Lieut. do A	4th do
Benjamin Pratt	2d do do A	4th do
George Batchelder	Capt. do B	4th do
Pliney M. Perkins	1st Lieut do B	4th do
Henry H. Edmonds	2d do do B	4th do
Albert D. Loomis	Capt do D	4th do
W. B. Winsor	1st Lieut do D	4th do
G. N. Hibbard	2d do do D	4th do
Charles G. Cotting	Captain do E	4th do
Horatio C. Irwin	1st Lieut. do E	4th do
Lawrence D. Warner	2d do do E	4th do
Laurin C. Bott	Capt. do F	4th do

February 15th 1842

On this day His Excellency Governor Doty approved the Bond of Geo. W. Lafkin Notary Public Grant County which with his oath of office was filed

Feby 22d 1842

Also the Bond and oath of office of D. A. Lapham a Notary Public in & for the County of Milwaukee was approved & filed

Also same day the Bond of Hiram Tuttle Notary Public of Racine County & oath of office approved & filed -

Also the acceptance of Albert Roundsville, William Ivebridge of Sheboygan County & John P. Arndt, Henry C. Eastman & Edward Hart of Brown County as Justices of the Peace & taken the oath of office

Albert F. Ennis Notary Public Dane County filed his Bond and oath of office which was approved by the Governor

To the Legislative assembly
of the Territory of Wisconsan

The Bill to incorporate the Beloit and Rock River Bridge Company with authority to construct two Bridges over Rock River I have signed and the bill is herewith returned

I have signed the bill because the assembly has passed the bill authorizing a Bridge to be built over the same Stream at Janesville and that equal privileges may be granted to the inhabetants at each of the Crossings of the river.

This bill is free from most of the ~~objections~~ exceptionable features contained in the Janesville Charter but it is manifest that if these bridges should obstruct the present or future navigation of the river the Courts of the Country may declare them Charters void & direct the bridges to be removed. I also notice the opinion of a omission of a provision authorizing the proper authorities of the County of Rock to purchase the Bridges at their par value to make them free at any time during the very long term of twenty years for which the privilege is granted to the Company to charge the high rates of toll fixed in the Charter. These are matters however which may be corrected if required hereafter as the power to amend or repeal the Charter is reserved to the Legislature

Ex Of.
Madison July 17th 1842.

S. C. Doty

To the Legislative Council
of the Territory of Wisconsan

The Bill entitled "an act to amend the act to incorporate the village of Southport is herewith returned without my signature

I consider the original Charter to have been passed without authority and that it contains provisions which are in violation of the act of Congress establishing the Territorial Government of Wisconsan.

all laws passed in this Territory must according to the requirements of that act be submitted to Congress.

If the Legislature had the power to create this Corporation it could not confer upon the Corporation greater powers than itself possessed nor authority to exercise them in a manner different from that prescribed for the Legislature by the act of Congress.

The provisions of the bill in my opinion conflict with those of the act of Congress and I must therefore decline signing it

Ex. Of.
Madison July 17th 1842.

S. C. Doty

Washington 24th 1841

To the Senate & House of Representatives of the United States —

[illegible] Also John A. Mc[illegible] Judges of the Supreme Court of the Territory of Wisconsin

Also

Wm. B. Slaughter Judge of the Probate Court for Brown County —

A. L. Grignon Clerk " " " "

Edward P. Dickson Judge " " " "

Isaac Y. Stambaugh " " " "

[illegible] Judge " " Milwaukee "

Edward Judge " " Brown County —

Orlando Tichenor " " Milwaukee "

W. W. Wells " " " "

J. P. Arndt " " " "

L. A. Porter " " Iowa " "

P. B. Mattes " " " "

Chr. Williamson " " " "

Lyman Warriner " " " "

To the Legislative Council of the Territory of Wisconsin

I return herewith without my signature the bill entitled "an act to provide for the payment of the expenses of the Legislative Assembly" therein named and for other purposes

I object to the bill because it appears the estimate of the Secretary of the Treasury for those expenses eight thousand Dollars is more which no appropriation has been asked of Congress. It therefore creates this amount of debt for which the Territory becomes immediately chargeable —

The amount appropriated for printing by this bill is seven thousand six hundred and forty two dollars, and for stationary eight hundred and fifty dollars, these sums exceed the amounts for which no appropriation has been asked three thousand four hundred and nine dollars.

It contains many items for which no appropriation has been asked of Congress — some of which are for objects interested in pecuniary grants, yet the first section declares that they shall be paid "out of the sum appropriated by Congress for defraying the expenses of the Legislative Assembly for the year 1842."

It contains several appropriations for Assemblies for their services beyond the amount allowed in them by the act of Congress — I think they have no more power to create their own fees or the Marshals than to [illegible] the Secretary or Governor of the Territory

The items of the bill do not conform to the provisions of that of the 4th inst. entitled an act to provide the manner of the appointment of the officers of the militia and for other purposes and I respectfully suggest that it would be proper to amend the 6th section of that act which proceeds in the bill by introducing in relation in conformity to that clause.

But I object to the whole bill because it appropriates more money than has been asked of Congress and more than we have any reason to believe Congress will hereafter pay to relieve the Territory from a debt created for such purpose.

If the amount estimated for can be exceeded it is obvious that is no limit to the indebtedness which might be created and by the one established it is already to appropriate one hundred thousand dollars at twenty thousand for the expenses

Deeming the bill therefore in violation of the acts of Congress and of our statutes and that it contains large sums which may become chargeable upon the people of the Territory and for which I am compelled to refuse my signature to it.

Executive Department
Madison Feby 18th 1842

S. C. Dodge

February 18th 1842

1842 On this day His Excellency received & accepted the
Feby by resignation of George Reed Esq Justice of the Peace Dane County
18th Wilkinson Mills & Peter Decker Esqrs Dane County
Feby 14 on this day Andrew Jackson Esq accepts and qualified as
Justice of the Peace in and for the County of Milwaukee
" 22d Chas. J. Fiske Esq Just Peace accepts Milwaukee County
" 26 C. N. Foster Esq accepts office Jefferson County
" " Justus Carpenter
Henry L. Fountain } Esqrs Lawn do Justices of the Peace
Jarvis L. Fish } Jefferson County
" 26 J. E. Arnold Esq Circuit Court Comr Milwaukee County respectfully declines
" " Wm Mitchell Judge of Probate declines to accept Brown County
" 25 Edward Wiesner Esq. accepts Justice Peace Milwaukee County
" 25th Lorenzo Jarvis Notary Public accepts & qualified Peace Milwaukee County
March 1st John Lane
" 2d Fin. P. Ewers } Esqrs accepts Justice of the Peace Milwaukee County
" " Isaac N. Wheeler
" " E. N. Rice
" " D. B. Mason
" " T. Walling
" " L. A. Darwell
" " T. Hoxie
Brooks
} accepts Offices of Justices of the Peace in Walworth County

1842
March 4 238 Ch. Ingersoll Atty. Gen. U.S. reports the Board of Canvassers of Brown Co. for Delegate to Congress

" " Abstract of votes for Delegate to Congress

" " Certificate of Election to Doty

" " John Crane

" " John Cooper } Esqrs Justices of the Peace Milwaukee County

" " J. H. Tweed

" " L. W. Hobson Esqr. Notary Public took oath &c. Mo. do

" " Jared Sanderson act. Com. Milwk & Rock River Canal

" " Thos. J. Nowlan Register do do

" " George D. Boardman Receiver do do

" 8 Edward Tinkler Notary Public Washington County

" 9 Wm. V. Mack Esqr. Justice of the Peace Milwaukee County

" " Peter Smith Land " Washington County

" 12 John P. Arndt Judge of Probate Brown County

" 18 N. C. Eastman District attorney do do

" 21 Julius T. Clark Supreme Court Com. Dane County

" 22 James Morrison Trustee of the Territory gave Bonds

" 22 James Morrison do do gave Additional Bond

" " Both of which were approved by the Governor

" " and this day filed in the office of the

" " Secretary of the Territory —

" 22 On this day His Excellency Governor Doty Commissioned

" the following persons until the end of the next session

" of the Legislative Assembly —

" David Merrill

" James Thompson

" John Ogden

" Daniel W. Patterson } Justices of the Peace Milwaukee County

" Orin Parker

" Aaron Putnam

" Willis Latham & Wm. Bowman Walworth County

" Joseph S. Pierce } Justice Peace } Rock County vice A. W. Pope removed

" " Wm S. Paddock } Justice Peace } Racine County

" A. W. Buckman

" " John C. Gilman } Justices of the Peace } Jefferson County

" David W. Kellogg

" John Richards

" " Samuel Hale Jun. } Judge of Probate } Racine County

" " Joseph Jackson } Justice Peace } Grant County

" 24 Wm. S. Sheldon } Resigns Justice Peace } Rock County

" 25 A. W. Parris accepts Supreme Court Com. } Dane County

" " Payton Russell } appointed Justice Peace } Rock County

" 26 On this day His Excellency Governor Doty

Issued the following Proclamation

Executive Department

Wisconsin Territory

Madison March 26th 1842 —

To all to whom these presents shall come Greeting

Whereas the Several tracts of Land hereinafter mentioned by the Proclamation of the Governor of the 15th day of November A.D. 1841. ordered to be sold according to the act of the Territorial Legislature on the 18th day of February Last; And Whereas the Board of Canal Commissioners failed to offer the Said Land for Sale on the Said day or afterwards; And whereas the board of Canal Commissioners have made application to the Governor of this Territory for an order of Sale of the Said Lands;

Now therefore by virtue of the authority in me vested it is hereby ordered that the Said Several tracts of land designated in the list hereunto annexed be Sold at public Sale to the highest bidder (being not less than $3.50 per acre) on tuesday the fifth day of July next at ten oClock a.m. at the court house in the Town of Milwaukee; and the Sale will be continued from day to day until every tract is offered.

No bid will be received for less than $3.50 per acre being the value per acre at which the Lands have been appraised by the board of Canal Commissioners.

The Terms of Sale will be as is provided by and the Sale will be conducted according to the act of the Legislative assembly approved February 12. 1848. entitled an act supplimentary to the several acts relating to the Milwaukee and Rock River Canal and no Land which is reserved by Law will be Sold.

In Testimony &c

L.S. Done at Madison the 26th day of March in the year of our Lord one thousand Eight hundred and forty Two

By the Governor
A.P. Field
Secretary of the Territory

J. D. Doty

Appointments in Militia

March 30 Philip Bontanyne Captain } Volunteer Company of
Leonard Mansfield Lieut. } Riflemen attached to Regiment
Pierpoint A. Reed Ensign } Volunteer No 3 Wis M.
Thos. J. Noyes Esqr accepts } Peace Milwaukee County

March 28 On this day His Excellency Governor Doty appointed & commissioned the following officers to wit;

" " John Stockbridge Major Sep. Bat No. 4
" " Wm N. Seymour Capt. Company F. Sept. Bat No. 2

28 Solomon Dunbar Justice Peace } Grant County
" Ben. C. Eastman Super. Court Com. }
" Simeon S. Allen Justice Peace } Crawford County
" John W. Walker } Notary Public }
" John M. Capron } Justice Peace } Milwaukee County
" James B. Finch do do }
" Dayton Russell do do } Rock County

" 30 Philip Burroughs } Captain } Volunteer Company of Riflemen
" " Leonard Humphrey } Lieut } attached to Separate Battalion
" " Pierpoint M. Reed } Ensign } No 3 Mil. Militia —
" 31 Thos. J. Noyes accepts as J. Peace } Milwaukee County

" "

" 31 On this day the following officers appointed in & for the County of Racine filed with the Clerk of the Court Their Bonds and oaths of office

Ezra Pinchard — Geo. Batchelder
Albert G. Northway — Joseph Knight
Daniel Pettyjohn — Isaac Harman
N. Hurlburt — Eldad Smith
George Bennett — John B. Kendall
Alfred Cary — Jos. V. Jeanvells
Sylvester B. Peck — John Depue
Cornelius Keeler — Thos. C. Pamelee
Frederick A. Wedge — Saml. T. Eldredge
} Justices of the Peace Racine County

Isaac Harman } Master in Chancery } Racine
Michael Myers } Sheriff — } do

April 3d Saml. T. Eldridge — Ezra Pinchard } Justices of the Peace Racine County
Chas. G. Cotting — Saml. C. Thompson
O. Crumb Cole — "
Elijah State } Master in Chancery } Racine County
Ormsell Hollister } Judge of Probate } do do

" 4th John Ogden —
" 5th Charles L. Rockwood } Justices of Peace } Milwaukee County
" 6th Caleb Smith } Edward Smith } Commissioned & Qualified } Racine County
Lyman M. Smith
Hartwell C. Strong
" 11 John W. Walker } Notary Public } Milwaukee County
" 12th C. Montague } Justices of the Peace } Jefferson County
Asa Farwell
" " Isaac Williams Jr. } Justices of the Peace } Milwaukee County
Jesse Hoyt &
Julius Lathrop

April 21st 1842

Per this day his Excellency Governor Doty
appointed & commissioned the following officers until
the expiration of the next Session of the Legislature of Iowa Terr
Hosea Bell &c } Justices of the Peace } Grant County
Levi Newell &c
Thomas Mackie } Justices of the Peace } Rock County
Abraham Vanderveer
David M. Whitney } Auctioneer } Dodge County
Chas. D. Arndon } Justice of the Peace } Brown County
Alfred Wood } Auctioneer } Fond du Lac County
Isaac A. Flint } Justice of the Peace } Grant County
Chas. H. Walbridge } Notary Public } Milwaukee County
Anson Dart } Justice of the Peace } Iowa County
Wm Boyles } do do } Marquette County
Moor Jean } do do } Green County
Horatio G. Train } Milwaukee County
Sid. Sluce
Stephen Bundy } Justices of the Peace } Racine County
Robt G. McClellan
Lorenzo Jones } Master in Chancery } Racine County

1842

April 22 Levi J. D. Parish } Justice of the Peace } Grant County
John Dousman } do do } Milwaukee County
David Ryan } Auctioneer } Brown County
Samuel Ryan } Inspector of Provisions }
" 26 Thos. E. Crockwell } Public Adm. } Grant County
Wallace M. Graham } Notary Public } Milwaukee County
Peter A. Tinsley } Auctioneer }

David M. Whitney } Brigade Inspector } 2d Brigade 1st Division

26th Darwin Clark } Just. Peace } Files his Bond & Oath of Office } Dane County

" 28 Appointments —
Ezra P. Rich } Justice of the Peace } Racine County
Elihu Brewer Jr } do do }

242
1843
May 11th. On this day were there in Executive Office [illegible] of
Notaries Public. Court Commissioners and Justices of the Peace of Jefferson —

May 10th. On this day his Excellency Governor Dodge appointed and Commissioned the following officers until the end of the next Session of the Legislative Assembly

Samuel G. Bassett	Justices of the Peace	Crawford County
Gardner Tilson		
Hugh B. Carter		
Stanley Hallett	Supr. Court Comr.	Brown County
Thaddeus Hall	Justice of the Peace.	Fond du Lac County

Militia

10 On this day his Excellency Governor Dodge appointed and Commissioned the following Military Officers

Charles Dunn	Col. 1st Regiment	
Daniel M. Hart	Adjutant Separate Battalion, No 2	
Wm. D. Doyle	1st Lieut Company -E-	do do
Lyman Wheeler	2d. do	do do
Silas A. Hamilton	Captain of Company -C-	do do
Nathan Vroman	2d Lieut.	do do

Acceptances

" 12. John Armstrong } Justice of the Peace } Milwaukee Co.
" 10 D. W. Kellogg & John Richards Justices of the Peace } Jefferson County
" 13 On this day his Excellency Governor Dodge appointed the following officers & Commissioned them until the end of the next Session of the Legislative Assembly —

Horrister Dexter	Justice of the Peace	Portage County
Albert H. Parrish	Judge of Probate	Dane County

" 14 Charles Hart } Auctioneer — } Rock County
" " On this day His Excellency Governor Dodge Revoked and annulled the Commission of Henry Carpenter as Justice of the Peace of Portage County

" 16 On this day His Excellency Governor Dodge Appointed and Commissioned the following officers until the end of the next Session of the Legislative Assembly

Abraham Ackerman	Judge of Probate	Dodge County
Nathaniel S. Bailey	Justice of the Peace	do do
Silas A. Hamilton	Attorney Public	Winnebago County
H. Bigelow	Sup. Court Comr.	
Hiram Finch	Justice Peace.	
Orford D. Gardner	do. do.	Green County
Albert H. Parrish	Judge of Probate	Dane County & North
and Josiah Hibbard	Justice of Peace	do —

May 21st Bonds Taken &c

W. H. Graham } Notary Public } Milwaukee County

" 21 Be it remembered that on this day personally appeared before me the subscriber a Notary Public in and for the County of Milwaukee duly commissioned and sworn George Paine } Justice of the Peace } Racine County

Lyman Clark } Justice of the Peace } Racine County

" 25th Carlos Shuckleford } Librarian } Wisconsin Territory

Registration

May 28 William Griffith } Justice of the Peace } Green County

" " Daniel Priestley } do do } Racine County

Acceptance

Isaac A. Flint } Justice of the Peace } Milwaukee County

Proclamation

Whereas a Requisition was made on the Governor of the Territory of Wisconsin by the Governor of the State of Pennsylvania on the 15th Day of September 1841 for the Arrest of Robert Bloomer to be Arrested Charged and dealt with according to the Laws of the said State of Pennsylvania for the Crime of Larceny with which he stands Charged.

And whereas David C. Porter the Governor of the said State of Pennsylvania did on the twenty fourth day of January in the year of our Lord one thousand eight hundred and forty two revoked and annulled the said Requisition.

Now therefore be it known that I have revoked and made void and do hereby revoke and make void and of no effect the said Requisition bearing date the 15th day of November 1841 to the Sheriff and other officers of the said Territory of Wisconsin, and forbidding and requiring them to arrest the said Bloomer and to deliver him to the said Morris Lloyd or the agent of the said State of Pennsylvania and the warrant and Authority given by the said Warrant to the said Morris Lloyd to take on receive the said Robert Bloomer and carry him to the said State of Pennsylvania

Given under my hand and the Great Seal of the Territory of Wisconsin this 29th Day of May AD 1842

By the Governor — J. D. Doty

A. P. Field

Secretary W. T.

1842 244
May 30th

Peremptory Appointments

Nelson J. Faulkner } Justices of the Peace } Linn County
June 1st. Asher C. Gilmore }
Edmund Morton } do do } Jackson County
" " C. Worrell } Public Administrator } Pettis County
May 31st Thomas Mantle } Justices of the Peace. } Platte County
June 3d. David Rathbone } do do } Howell County
——— His Commission to cease from & after the 17th July 1842

June 1st
1842

Reappointed Militia

" " Elias S. Bufford Captain
" " Jas O. Leavitt 1st Lieut } Company A 4th Regt
" " Benjamin Pratt 2d do

Militia Appointments

June 1st
" " James O'Bartlett Capt
" " Lucius S. Burke 1st Lieut } Company A. 4th Regt
" " Albert N. Burke 2d do
June 2d. Wm N. Wheeler Captain
Wm A. Webb 1st Lieut } Company G. Separate Battalion
" Abram Smith 2d do } for Mississippi
" " Silas Noswerthy Captain
Cyprian Hill 1st Lieut } Company A. Separate
George Howard 2d do } Battalion for Mo.

" 10. On this day his Excellency received a Communication from Moses D. Miller resigning the office of Justice of the Peace in Iowa County. Whose Term of office had already expired on the 21st day of February last 1842

Acceptances

" " George Reed } Justice of the Peace } Shannon County
" " Aaron Putnam } do do } do do
" " Hugh B. Coulter } do do } Grant County

Appointments

Jacob Linnel } Justice of the Peace until the end of the next Session of the Legislature } addressed in the County of Green

June 11th 1842 Certified Copy } Public Seal } Peace County
June 17th
1842

A Proclamation

Samuel Durant Sole Secretary of State of Missouri

To his Excellency the Governor of the State of Missouri

It appears by the annexed Papers and certificates on file in this Office that Silas

1842
June 25

Executive Department
Middletown June 25th 1842.

To his Excellency
Edward Carter
Governor of
the State of Michigan
Sir

Information having been communicated to this Department that the Commissioners appointed to locate the Insane Hospital in this State, under an act of Assembly which directs one to be located in the Northern Counties of the State, have selected Ann Arbor as the place for the location of that Institution, I am directed by the Governor to call your attention to the subject and to request that you will communicate to this Department,

1. Whether any and what appropriation has been made by the Legislature of Michigan for the erection of the building, and if any, what amount?

2. Whether any and what appropriation has been made by the Legislature of Michigan for the support of the Institution, and if any, what amount?

3. Whether any and what provision has been made by the Legislature of Michigan for the admission of patients into the Institution, and if any, what provision?

4. Whether any and what provision has been made by the Legislature of Michigan for the support of patients in the Institution, and if any, what provision?

5. Whether any and what provision has been made by the Legislature of Michigan for the discharge of patients from the Institution, and if any, what provision?

6. Whether any and what provision has been made by the Legislature of Michigan for the government of the Institution, and if any, what provision?

7. Whether any and what provision has been made by the Legislature of Michigan for the visitation of the Institution, and if any, what provision?

8. Whether any and what provision has been made by the Legislature of Michigan for the inspection of the Institution, and if any, what provision?

9. Whether any and what provision has been made by the Legislature of Michigan for the reports of the Institution, and if any, what provision?

10. Whether any and what provision has been made by the Legislature of Michigan for the publication of the reports of the Institution, and if any, what provision?

11. Whether any and what provision has been made by the Legislature of Michigan for the distribution of the reports of the Institution, and if any, what provision?

12. Whether any and what provision has been made by the Legislature of Michigan for the preservation of the reports of the Institution, and if any, what provision?

13. Whether any and what provision has been made by the Legislature of Michigan for the destruction of the reports of the Institution, and if any, what provision?

14. Whether any and what provision has been made by the Legislature of Michigan for the alteration of the reports of the Institution, and if any, what provision?

15. Whether any and what provision has been made by the Legislature of Michigan for the amendment of the reports of the Institution, and if any, what provision?

16. Whether any and what provision has been made by the Legislature of Michigan for the repeal of the reports of the Institution, and if any, what provision?

17. Whether any and what provision has been made by the Legislature of Michigan for the suspension of the reports of the Institution, and if any, what provision?

18. Whether any and what provision has been made by the Legislature of Michigan for the revival of the reports of the Institution, and if any, what provision?

19. Whether any and what provision has been made by the Legislature of Michigan for the construction of the reports of the Institution, and if any, what provision?

20. Whether any and what provision has been made by the Legislature of Michigan for the interpretation of the reports of the Institution, and if any, what provision?

21. Whether any and what provision has been made by the Legislature of Michigan for the application of the reports of the Institution, and if any, what provision?

22. Whether any and what provision has been made by the Legislature of Michigan for the enforcement of the reports of the Institution, and if any, what provision?

23. Whether any and what provision has been made by the Legislature of Michigan for the penalties for the violation of the reports of the Institution, and if any, what provision?

24. Whether any and what provision has been made by the Legislature of Michigan for the remedies for the violation of the reports of the Institution, and if any, what provision?

25. Whether any and what provision has been made by the Legislature of Michigan for the jurisdiction of the courts in the matter of the reports of the Institution, and if any, what provision?

26. Whether any and what provision has been made by the Legislature of Michigan for the venue of the actions in the matter of the reports of the Institution, and if any, what provision?

27. Whether any and what provision has been made by the Legislature of Michigan for the limitation of the actions in the matter of the reports of the Institution, and if any, what provision?

28. Whether any and what provision has been made by the Legislature of Michigan for the evidence in the matter of the reports of the Institution, and if any, what provision?

29. Whether any and what provision has been made by the Legislature of Michigan for the witnesses in the matter of the reports of the Institution, and if any, what provision?

30. Whether any and what provision has been made by the Legislature of Michigan for the costs in the matter of the reports of the Institution, and if any, what provision?

31. Whether any and what provision has been made by the Legislature of Michigan for the appeals in the matter of the reports of the Institution, and if any, what provision?

32. Whether any and what provision has been made by the Legislature of Michigan for the new trials in the matter of the reports of the Institution, and if any, what provision?

33. Whether any and what provision has been made by the Legislature of Michigan for the stay of proceedings in the matter of the reports of the Institution, and if any, what provision?

34. Whether any and what provision has been made by the Legislature of Michigan for the execution of the judgments in the matter of the reports of the Institution, and if any, what provision?

35. Whether any and what provision has been made by the Legislature of Michigan for the satisfaction of the judgments in the matter of the reports of the Institution, and if any, what provision?

36. Whether any and what provision has been made by the Legislature of Michigan for the revival of the judgments in the matter of the reports of the Institution, and if any, what provision?

37. Whether any and what provision has been made by the Legislature of Michigan for the enforcement of the judgments in the matter of the reports of the Institution, and if any, what provision?

38. Whether any and what provision has been made by the Legislature of Michigan for the penalties for the violation of the judgments in the matter of the reports of the Institution, and if any, what provision?

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it is but fruitless to refer the decision to Congress for there never could be a question of the Government of the States and Territory to which they are respectively. If Congress had failed or neglected to fulfil a duty to enable them to exercise the sovereign power of this right this omission of duty cannot destroy or impair it.

The Executive Department. Many Phosts to establish a government for the new State according to the terms of the Ordinance. In short the intelligence of Congress as now had by the Governor of Louisville and Michigan and in the exercise of this right in which I respect the sovereign power of duty cannot destroy or impair it.

The Executive Department. Many Phosts to establish a government for the new State according to the terms of the Ordinance. In short the intelligence of Congress as now had by the Governor of Louisville and Michigan and in the exercise of this right in which I respect the sovereign power of duty cannot destroy or impair it.

The accuracy of this is in the opinion entertained by the people as well as by some of the most eminent men of the United States that the line drawn due west from the southerly bend of Lake Michigan to the Mississippi river to the northern boundary of the State of Illinois so soon as the inhabitants north of it establish a government for themselves, I cannot but remark the unfortunate position, permitting Illinois to include within a district which it is believed does not belong to her and over which she can only be regarded as exercising accidentally and temporarily her jurisdiction.

I have the honor to be
very respectfully
Your obedient Servant
S. D. Doty
Executive Department
Michigan Territory
Detroit June 30th 1842

The Hon W. Forward
Secretary of the Treasury
Sir

I have the honor to enclose herewith a duplicate copy of a letter addressed from this Department to Gov. Corlin protesting against the selection of Lands granted by the United States to the State of Illinois made by the Commissioners of that State within the limits of the Fifth State established by the ordinance and acts of Congress Northwest of the Ohio river.

The subject is one in which the rights of this Territory seem to be deeply interested and which requires early examination by your predecessor and the decisions which are directed to that end may be promptly rendered.

I have the honor to be
Your most Obedt Servt
S. D. Doty

[illegible]

[illegible] Henry Carpenter Esq[r], Justice of the Peace [illegible]
[illegible] Lyon County [illegible]
[illegible] Isaac A. Briggs } Auctioneer [illegible] } Lewis County

Military

1845
July 15 [illegible] } [illegible]

" 20. Louis Butterfield } District Attorney } Putnam County
" " Ira Otter } Justice of the Peace } [illegible]
" 22d Jarvis Hatton } Master in Chancery } Green County
" 25th La Fayette Hill } Justice of the Peace } Putnam County
" 26 Sutteles Clark } Supreme Court Comr } Do [illegible]
" " Wm. J. Aitkin
" " Chas. M. Oakley } Justices of the Peace } St Louis County
Jas C. Scott

July 25th 1845

The account of John Atkinson against the Treasurer for
William Coffee included for the services of Queries sent to
Lewis from Holmes Missouri to Pleasant Dale Lewis
Co. pursuant to the requisition upon the Governor of
Missouri dated the 12th of Sept. last and the same
by the Governor in accordance with the Statute
the account thereof $115.75 Allowed

S. R. Dorf

Mr Coffee

Resignations

July 26 C. Whitney Resigned } Justice Peace } Portage County
" " Chas. M. Oakley " } do do } Brown "
" "
" " Wm. Bayless accepts office of Justice of the
Peace in and for Green County to take the place of
[illegible]

July 27. On this day his Excellency Governor Doty appointed and commissioned the following officers to wit.

" Wm. B. Cattlemen Asst-de-Camp to Brig. Gen.
" Milton Dewey Surveyor
" Robert E. Stevenson Brig-Inspector
" Carlton Whelock Adjutant
" Rattwick C. Miller Hospital Surgeon

} 2d. Brigade

" Peter Vieaux 1st Lieut Comp A. 2d Regt
" Thos. Jones 2d do do do do

" Isaac V. Brown Capt Company D. do
" Barnabas Hinckley 1st Lieut do do do
" Edson Sherwood 2d. do do do

" Wm. S. Anderson Lieut Col. } 6th Regt.
" Jas. White Major }

" Franklin C. Nicks Lieut Col. } 7th Regt.
" Jas. N. Hammond Major } 1st Aug't W. Roops filed oaths of office

Aug't 1st. W. Knowlton accepts & Peace filed oaths of office &c

Aug't 2d On this day his Excellency Governor Doty appointed and Commissioned the following officers to hold their offices until the end of the next session of the Legislative assembly -

" Thomas Lyon Jun'r } Justice of the Peace } Walworth County
" Christian Lind } do do } Winnebago County
6th Lattimer Clark Jr. took & filed oath of office as Supr Ct Comr }
" Henry Carpenter Justice of the Peace for Portage filed Notice of his acceptance
" 8 Noah P. Sheldon Sup Court Comr. filed oaths of office &c
" 9th On this day His Excellency Governor Doty Issued Commissions to the following officers untill the end of the next Session of the Legislative assembly Viz-

" " Enoch G. Bean } Justice Peace } Portage County
" " Garland Thomas } do do } Dane County

" " On this day His Excellency Governor Doty made a Requisition of the Governor of Illinois: Issued for a Warrant to Michael Myers Sh'ff of Racine County for the arrest of Edward Lovel and Henry P. Moore fugatives from Justice Indicted for Burglary in Racine County

1842

August 11 On this day His Excellency Governor Doty appointed & commissioned the following officers until the end of the next session of the Legislative assembly to wit;

" " Alfred W. Morris } Justice of the Peace } Milwaukie County
" 25 Jesse Saunders } do do } Dane County

" 29 P. W. Matts Resigned the office of Justice of the Peace Dane County which was accepted —

" "

" " On this day His Excellency Governor Doty appointed & commissioned the following Officers until the end of the next Session of the Legislative assembly —

" " Abraham C. Bailey } Supreme Court Comr. } Rock County
" " Asahel Finch jr. } Justice of the Peace } Milwaukie County
" " Arock Cole } do do } Rock County

" "

" " John Shirvan } Commissary 6th Regt. Wis Militia —

" 30 A. C. Bailey } Supr Court Comr. } took oath of Office &c

Octr 6 A. W. Parris } Ridignation Notary Public } Dane County
" " Jas. M. Goodhue } accepts Col. 4th Regt. } Wis Militia

" 7

" " Barlow Murdh } appointed J. Peace } Grant County
" 10 Nelson P. Hawks } do do } Milwaukie County
" 13 J Allen Barber } Judge of Probate } Grant County

" "

" 13 On this day His Excellency Governor Doty Revoked
" " the appointments of the following Officers Who were
" " severally notified of the same through the Post Office on
" " the day following to wit
" " Lyndon Crossman } Justice of the Peace } Sauk County
" " George W. Williams } do do } Brown County
" " Elwin Hart } do do } do do
" " John Richards } District attorney } Jefferson County
" " Harvey Young } Justice of the Peace } Iowa County
" " Geo F. Markley } appointed District attorney } Jefferson County
until the end of the next session of the Legislative assembly

The entries for the Month of September will be found on the next Page

Oct 13 } On this day His Excellency Governor Doty appointed
Nov 13 } and commissioned the following Officers until the end
of the next Session of the Legislative assembly. to wit

"				
"	13	James H. Knowlton	Justice Peace	Rock County
"	28	Frederick Brockett	do do	Manitowoc County
"	13	Thos J. Crockwell	do do	Grant County.
"	"			
"	"	Chas Smith	2d Lieut company A. 4 Regt	W. Militia
"	"	Harmon Lacius	Justice of the Peace	Jefferson County
"	"	Jas Bournewell	do do	Washington County
"	"	George S. Holmes	do do	Milwaukee County
"	"	Caldwell Alex C. Washburn	do do	Lowa County
"	"	Lane	Matthew Chaney	do do
"	"	David S. Luther and	Judge of Probate	Green County
"	27	Peter Boyle	Justice of Peace	Grant County
"	28	Frederick Brockett	do do	Manitowoc
"	30	Jas H. Knowlton	do do	Rock County
"	"	Jas H Goodhue	Col 4th Regt	Wis Militia

The Entries of October 1842 is on the first page back

1842

Nov. 1st On this day His Excellency Governor Doty appointed
" " and commissioned the following Officers until the
" " end of the next Session of the Legislative assembly
" " Viz:

"	"	Forth B. David	Justice of the Peace	Walworth County
"	"	George Humphrey	do do	do do
"	"	Jacob Spaulding	do do	Crawford County
"	"	Saml C. Leavitt	do do	Milwaukee County
"	"	Henry S. Brown	Notary Public	do do
"	"	David Lambert	do do	Dane County
"	3	Wm. C. Fillebrown	Justice Peace	Grant County
"	"	Andrew Garrison	do do	Sauk County
"	"	Wm. Henry Andrews	do do	Dane County
"	"	Solomon Head	do do	do do
"	16	Alex Hoffman	do do	Jefferson County
"	"	Saml T. Bailey	do do	do do
"	"	Isaac Bell	do do	Crawford County
"	"	Jas H. Lockwood	do do	do do

1842

Nov. 16	Abner Rowe	Justice of Peace	Milwaukee County	
" "	Abraham D. Smith	Master in Chancery	do	do
" "	Stephen M. Woodward	J. Peace	Portage County	
" "	Saml. C. Shale	Inspector of Provisions	Racine County	
" "	Frederick A. Horne	Justice of Peace	Washington County	
Nov. 30	Chester Ford	do	do	Winnebago County
" 16	Jas. L. Fisk	Justice of the Peace of Jefferson County. Wm. R. Nesbit Justice of the Peace and Clinton A. Walworth a Master in Chancery in Milwaukee County Their Commissions are all this day Revoked by the Governor & notice thereof to each of them Mailed the same day.		
" "				
" "				
" "				
" "				
" "	John V. Ingersoll	Appointed Notary Public	Crawford County	
" 24	Alex. Dowling	Appointed Judge of Probate	Dane County	
" 25	Leander Leclere	Auctioneer	Crawford County	
" 30	Chester Ford	Justice Peace	Winnebago County	
Dec. 7	Stephen S. Barlow	J. Peace	Walworth County	
" "	Experience Esterbrook	Notary Public		
" "	Jesse Stand	J. Peace		
" "				
" "	Wm. Young	J. Peace	Rock County	
" "	Ebenezer Carter	do do		
" "	Joseph Printiss	do do		
" "	Geo. L. Dyke	do do	Dane County	
" "	John W. Stewart	do do	Green County	
" 6	John F. Ragan	Auctioneer	Milwaukee County	
" "	Samuel Hale	J. Peace	Racine County	
" "	Merrick Buck	do do	Dane County	
" 9	Jas. B. Estes	do do	Iowa County	
" 12	William Rea	do do	do do	
" 13	Andrew Garrison	Supr Court Comr.	Rock County	
" 15	Stephen Hill	J. Peace	Walworth County	
" "	Christopher Douglass	Supr Court Comr.	do do	
" 16	Miram Tuttle	J. Peace	Racine County	
" 20	Peter Yates	Supr Court Comr.	Milwaukee County	
" "	Benj. H. Edgerton	Notary Public	do do	
" "	Henry A. Rinkley	J. Peace	do do	
" 21	John Kelley	do do	Racine County	
" 22	David Bourbonnais	do do	Milwaukee County	
" 23	Jas. Clawson	do do	Dodge County	
" "	Morris Farman	do do	do do	
" "	John R. Goodnough	Notary Public	do do	
" 26	Benj. Nute	J. Peace	Jefferson County	
" "	Reuben A. Deming	do do	Racine County	
" "	Miram N. Allcock	do do	Milwaukee County	
" 28	John Puckett	Notary Public	Rock County	
" "	George Ward	J. Peace	Jefferson County	
" "	~~Gurdon Hubbard~~	~~do do~~	~~Washington County~~	
" 29	Aurora Adams	do do	Washington County	

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Appointments Continued

Jany 6th

" " Elias Nebeker } J. Peace } Walworth County
" " Colwin S. Carton } Supt. Court Com. } Iowa County
" " Samuel Longstreet } J. Peace } Grant County
" " Nathaniel M. Dean } do do } Green County
" 5 On this day His Excellency Received the Commissions
" " of the following Officers who were Respectively notified
" " of the same through the Postoffice Viz:
" " Edward Medbery } Supt. Com. Court } Iowa County
" " Israel Brocklen } Justices of Peace
" " Harley Eaton } Judge of Probate
"
" 6 Appointments
" " Joseph Rew } Notary Public
" " Wm Hideout } Justice of Peace
" " Lewis Rogers } do do } Iowa County
" " Nicholas Owen } do do
" " E. B. Ryerson } do do
" " Alfred Barry } Supt. Com. Court } Racine County
" 7 E. C. Washburn } Judge Advocate 1st B. 2d Div. Wis. Mil.
" "

" 12 On this day His Excellency received and accepted the resignation
of Jabez Williams a Justice of the Peace of Winnebago

" "

" 19 Joseph Printiss declined accepting the Office of of Justice
" " of the Peace in Rock County

" " "

" "

" "

Jany 20 On this day His Excellency Governor Doty
" " appointed and commissioned the following Officers
" " until the end of the next Session of the Legislative
" " Assembly to wit;
" " Martin Field } Justice of the Peace
" " Wm. H. Printiss } do do } Milwaukie County
" " Francis Randle } District attorney
" " David M. Stinely } J. Peace
" " Samuel H. Farnsworth } do do } Brown County
" " George W. Ames } Notary Public } Dodge County
" " Thomas Utt } Justice Peace } Grant County
" " John Teetshorn } do do } Walworth County

On this day His Excellency Governor Doty issued the following proclamation.

Proclamation

By James Duane Doty
Governor of the Territory of Wisconsan

Be it Known

That whereas the act of congress of the 29th of August, 1842, declares that "no session of the Legislature of a Territory shall be held until the appropriation for its expenses shall have been made and no appropriation was made for a session to be held on the first Monday in December last; by reason whereof the Legislature of the Territory of Wisconsan was unable lawfully to commence its session on the said first Monday; or to continue it to any other day.

And Whereas the Governor of the Territory has been this day officially informed that the congress of the United States has during its present session to wit on the 24th day of December 1842 appropriated the sum of nineteen thousand two hundred and seventy five dollars in and by an act entitled "an act making appropriations for the civil and diplomatic" expenses of Government for the half Calendar year ending the 30th day of June 1843," for the expenses of a session of said Legislature to be held according to law during the said half year:

And Whereas it is provided in and by an act of the said Legislature of Wisconsan passed in the year 1839." That the Governor of the Territory may as often as in his opinion "the public interest required it appoint by proclamation, Special sessions to be holden at such "time as he may designate, not less than thirty days from the issuing any such proclamation; "and any such Special session shall not exceed twenty days," &c.

And Whereas a Majority of the members elect of the said Legislative assembly did on the 10th day of December last declare "that there are many important subjects deeply affecting the interests of the people upon which they are now anxiously desireing Legislative "actions."

Therefore I do hereby appoint a Special Session of the Legislative assembly of Wisconsan to be holden held at the Capitol in Madison at twelve o'clock Meridian on Monday the Sixth day of March next.

Given at the Executive office in the Town of Belmont under the Great Seal of said Territory this thirtieth day of January A.D. 1843 and of the Independance of the United States the sixty seventh. By the Governor

J. D. Doty

A. H. Field Secretary

1863

254 Feby 4 On this day His Excellency Governor Doty appointed & commissioned the following officers until the end of the next Session of the Legislature assembly towit.

"	"	Geo. A. Tiffany	Public Adm'r	Milwaukee County
"	"	Justin Olin	Justice Peace	do do
"	"	Abraham Finch	do do	Jefferson County
"	"	Amos Adden	do do	Walworth County
"	6	Thomas Shelton	do do	Lowd County
"	"	C. C. Washburn	Judge of Probate	do do
"	7	Geo. C. Manney	Justice Peace	Racine County
"	"	Caleb P. Barnes	Notary Public	
"	"	Wm. H. Watterman	do do	
"	"	Joseph Printis	Justice Peace	Rock County
"	"	Satterlee Clark jr.	Auctioneer	Portage County
"	8	John W. Bicknell	Justice Peace	Rock County
"	9	Chas. H. Learned	do do	Milwaukee County
"	"	J. Chadwick commissioned this day to take effect on the 20th inst. when his present commission will expire	Justice of the Peace	
"	"	George S. Starnes	Justices of the Peace	Milwaukee County
"	"	Saml. C. Smith	accepts their com'n	
"	20	Peter B. Grignon	Justice Peace	Brown County
"	22	Nelson Eldred	do do	Rock County
"	"	William Lamborn	do do	Jefferson County
"	"	Winslow Blake	do do	do do
"	"	Joseph R. Thomas	do do	Milwaukee County
"	"	Eleazer Wales	do do	
"	"	Noah C. Rogers	do do	Crawford County
"	"	Timothy Wainwright	do do	Milwaukee County
"	"	Lette Warner	do do	Racine County
"	"	John B. Perry accepts the office of Justice of the Peace in Green County & took the oath of office - Green County		
"	"			

" " **Appointments**

Feby 25.

"	"	Henry Low	Justice Peace	Lowd County
"	"	Paul W. Todd	do do	Racine County
"	"	Cornelius Bredle	do do	do do
"	"	Thos Vaughn	do do	Rock County
"	"	Elijah Steel	Notary Public	Racine County
"	"	Abial Whitman	Justice of Peace	do do
"	"	Richard C. Ela	do do	do do
"	"	Isaac C. Lewis	do do	Milwaukee County
"	"	Philip Schuyler	do do	do do
"	"	Moses Smith	do do	do do
"	"	Peter A. Turner	do do	do do

1843
Feby 22d On this day His Excellency Gov. Doty Appointed. and
" " Commissioned the following Officers until the end
" " of the next Session of the Legislative assembly. Towit;
" " Henry W. Dwight Halt } Brigade Dr. Master 2d Br. 1st Division Wisk
" " James W. Hammond } Lieut. Col. 7th Regt —
" " Benjamin Green } Major " " —
" " on this day the acceptance of Martin Field justice of the Peace
" " in and for the County of Milwaukee was received & filed
" " Jeremiah B. Vandeusen also filed his acceptance of Peace Same County
" " Francis Randle Esqr filed his acceptance as Prosecuting Same County
" "

" 23d On this day His Excellency Governor Doty Appointed the following
" " Officers & Commissioned them until the end of the next
" " Session of the Legislative assembly. to wit;
" " Rhodolphus D. Merrick } Justice Peace } Green County
" " Martin Field } do do }
" 24 Alexander Mathieson } Supr. Court Comr. } Milwaukee County

March 2d John Wallace Arndt } Notary Publice } Brown County
" " Henry Baldwin } J. Peace } Crawford County
" " Norman Norton } do do } Jefferson County
" " Ezra Richard } do do } Racine County
" " Chaney Kellogg } do do } do do
" 6 A. C. Rugee J.P. } Filed his acceptance } Crawford County
" " Justin Olin J.P. } do do do } Milwaukee County
" " Chas. N. Learned } do do do } do do

Special Session
Message
March 6th 1843

March
" " 6 On this day His Excellency Governor Doty sent to each
House of the Legislative assembly the following Message

Gentleman of the Council
and of the House of Representatives

The Legislation of Congress having prevented the Legislature from holding its annual ~~session~~ term in December last, and believing that the public interest will be promoted by a Session, I have deemed it my duty, an appropriation being now made by Congress to pay the expenses, to appoint a Special Session to be held at this time. This duty has been performed in conformity to the provisions of the act of Wisconsin, entitled "an act relative to the Sessions of the Legislative Assembly", to enable you to Legislate upon those subjects upon which the people are now anxiously expecting Legislation.

I therefore meet you on this occasion, being informed by your committee that the two houses are now convened, for the purpose of holding a Special Session; and I respectfully solicit your attention to the following as some of the objects of "public interest" which in my judgment require legislative action.

A change, or modification of the present form of government, by restoring to the people their right to elect their officers and thereby rendering the County and Territorial officers responsible to them for the performance of their official duties; is a measure of great interest and importance. If the bill lately pending before Congress granting this privilege, and for the passage of which we have all been solicitous, shall not have become laws, I would again recommend the submission of the question to the inhabitants of the 5th division of the North-west Territory. who by the ordinance of 1787 and subsequent acts of Congress, are authorized "to form a permanent Constitution and State government" whether they will now exercise this right, and ask admission into the Union.

For the purpose of bringing this question to the notice of the people, that the relative Merits of a Territorial and State government might be investigated and discussed and their opinion known. I deem it my duty both to the United States and to Wisconsin, to suggest to the electors the propriety of casting a vote upon it at the annual election in this Territory held in September last. In several counties few votes were given, and the returns from others were imperfect. No result can therefore be stated, except the apparent satisfaction of the people with the present government, and with its administration from the period of its institution.

But as this government was not established by the inhabitants of the Territory, and as the power has been conferred on Congress to admit a State with a population less than sixty thousand, it is desirable that a law should be passed, authoring a vote to be annually taken upon the question "whether a permanent Constitution and State government shall be formed?".

The sum which has been created to defray the expences of the Legislature and the Charges upon the Territorial Treasury; for the payment of which no provision was made by those by whom it was incurred, demands your immediate consideration. The holders of bonds and Scrip, and indeed all of the public creditors, have a right to their

money; and the people have also a right to know by whom, and for what objects this debt has been created.

I ask also that it may be adjusted and paid, that the State of Wisconsin may enter the union free from debt.

Sixty one "Canal Bonds" have been returned to this office Nos. 1, 2, 3 and 57 to 100 by the late agent, and 37 to 51 by the Cashier of the Bank of Vernon, and and I recommend that they be Cancelled.

From every quarter of the Territory we learn from the people that a more rigid economy in the public expenditures than has heretofore prevailed, is expected by them.

The fees of officers, the expences of the courts, and of the town and County Governments are much greater than in many of the most respectable States in the union, and every body admits that they greatly exceed the value of the services rendered. So long as the people are taxed to pay the expences of litigation, parties will be found to institute suits, and the terms of the courts be protracted to an unreasonable length.

The present System of Taxation is acknowledged to be unequal in its rates, defective in its details and in its operation most grossly unjust. By many it is regarded as unconstitutional and therefore void, while all admit it as nothing else than a System by which the real property holders are forfeited to the office-holders and the title Speculators.

The printing for the Legislature it appears will be about Fifty Thousand Dollars - a Sum which must be very extravigant to those at least who are acquainted with the value of the work performed. There was in one establishment the enormous Sum of Eleven thousand Dollars for the ordinary printing of the two houses, at the Session of 1838-9. I would respectfully recommend the passage of a law to provide for the appointment of a Territorial printer, and to fix the rate for which he shall be paid for his work. Heretofore the printing has been performed under a Resolution of one or both of the Houses at indefinite rates and without the concurrence of the Executive. That it has been done in a careless and extravagant manner without supervision is proved by the errors which have been detected in the Journals and Laws, and by the fact that a printer, on a bill for only for one Session was able to charge and receive Eleven Hundred and Seventy Dollars more than he was entitled to, of which he was afterwards convicted.

The distributive share of Wisconsin of the net proceeds of the public Lands remains undrawn, in the Treasury of the United States. It amount to the 30th of June last one thousand and eighty two Dollars and forty five

The Territorial roads leading west from Astor, Milwaukee, Racine & Southport would be greatly benefited by the application of this fund to the repairs which are required upon them and I have no doubt that the inhabitants along each route would be willing to give an equal amount of labour to the same object, that these important thoroughfares may be rendered more useful to the Public. I should be glad to see this sum appropriated to this, or some other beneficial object, before it is drawn from the Treasury of the United States.

The extensive and valuable Trade which is prosecuted upon the Wisconsan river, and the rapidly increasing settlements upon its borders and tributaries, demand that such measures should be employed as are within the Control of the Legislature to improve the navigation of this stream.

An appeal to Congress by a Memorial if sustained by the delegate, would undoubtedly influence that body to grant an appropriation for this object, which has ever been regarded by those acquainted with the facilities which this river and the Neenah afford for a Steam Boat navigation between the Mississippi and Lake Michigan of great National importance.

A large rich agricultural and Mineral Country, lying on the heads of the Streams between the Mississippi and Wisconsan rivers has attracted the attention of many persons during the past season, and Settlements have been formed at several points. For their convenience and to facilitate the further settlement of that Country, as also for the purpose of establishing a Communication with the Copper Mines on the Montreal river, I respectfully recommend that a Territorial Road be established from Prairie du Chien by the Mills on Black and Chippewa rivers to the shore of Lake Superior at the mouth of the Montreal.

No other expenditure will be required upon it at present than to mark the route of its location, as prairie ridges may be followed to the Chippewa, and perhaps beyond. The five percent fund to be paid by the Counties of Crawford and St. Croix into the treasury, it is presumed would be sufficient to defray this expenditure and I therefore recommend that it be so appropriated. In conclusion I beg leave to assure you that it will give me great pleasure to unite with you in the adoption of such measures as may be proposed by you which are calculated to promote the general welfare of the Territory. It is expected of us, & I think by the people, that, we should hold a short term, and confine our Labours chiefly to the amendment of the Laws now in force rather than the enactment of new ones;

at almost every new law brings additional taxation or produces greater evils than are remedied.

Executive Department
Madison March 6th 1843

J. D. Doty.

1843
March 9 On this day His Excellency Governor Doty sent to the House of Representatives the following Message.—

To the House of Representatives of Wisconsin.

A Resolution to authorize the purchase of stationary, with a certificate thereon that it "originated in the house of representatives" has been presented to me for my approval.

This resolution is in the following words:

"Resolved, the House the Council Concurring herein, That the Secretary of the Council and the Chief Clerk of the House of representatives be authorized to purchase the stationary necessary for the use of the Legislature during the present Session."

An act of the Territorial Legislature provides "that it shall be the duty of the Librarian to contract annually for the delivery of the necessary amount of wood stationary and Candles required for the use of the Legislative Assembly."

I am advised by the Librarian that this duty was performed by his predecessor, who contracted with Messrs J. & L. Wardell to deliver the stationary and Candles required for the year 1842-3 according to a bill furnished them.

That these articles were delivered to the Librarian on said contract and are now in the capital with the exception of small portion thereof which have been delivered to the acting Clerk for which their receipts have been taken.

That the quantity now on hand is the same as has been required at sessions heretofore held; and is as much as is permitted by the Law to be delivered to the members.

And that the Librarian and the Contractor have each offered to deliver said stationary and Candles to the acting Clerks— which offers have not been accepted.

There appears therefore to be no necessity for the passage of this resolution, as the Librarian has performed his duty, and as there is a sufficient supply now on hand.

Presuming that the purchase was made according to law, and that the Territory or the United States must be responsible for the amount of the Contract. I cannot think it would be prudent to incur any further liability at present by authorizing another purchase. Fourteen hundred dollars worth of stationary and candles is more than I think will be required for the use of the members at this Session.

The Resolution is repugnant to the law above cited and may perhaps be understood to supersede or

or invalidate the contracts heretofore made by the Liberician.

At the same time that I return this resolution with the above objections, I feel it to be my duty to state to the House that very serious doubts are entertained by many whether the Territorial act of 1839 to regulate the Sessions of the assembly so far as it authorises the Governor to appoint special sessions, is a compliance with the provisions of the 19th Section of the act of Congress to divide the Territory of Wisconsan, or with those of any other act of Congress and also whether the act of Wisconsan of 1842, entitled an "An act to provide for the taking the census of the inhabitants of the Territory of Wisconsan, and to authorise the Governor to apportion the members of the Council and House of representatives," so far as it requires the Governor to make the apportionment it according to the provisions of the said 19th Section of the act of Congress of June 12. 1838?

These are questions which I have understood were raised by a prominent Member of the Council and in my Judgment, are entitled to consideration: for it is certain that if this is not a Legislative Assembly, elected constituted and convened in the manner and at the time" prescribed by law", it has no constitutional existance and all of its acts of Legislation must be void.

These questions I have submitted to the attorney General, and to other legal gentlemen, for their opinions, which when received I shall if it is desired communicate to the Assembly. For the present I forbear to express my views upon these subjects, reserving myself upon them until they can be brought fully before the Assembly. By receiving and returning this resolution therefore I desire that it may not be understood that these questions are waived by me-

Executive Department
Madison March 9th. 1843.

J. D. Doty

1843
March 11th On this day His Excellency Governor Doty transmitted to the Legislative Council the following Message

To the Legislative Council.

I transmit herewith a copy of a letter to the Secretary of the Treasury, which it is presumed is the one called for by your resolution of the 10th instant.

It is rendered doubtful by the Journals of your proceedings whether you are holding a Special or an adjourned Session of the Assembly. This is a question which in my Judgment should be determined now, that the people may know whether this is a lawful

or unlawful Session. and that they may not be made to suffer by unauthorised Legislation It is believed to be the especial duty of the Executive to see that the laws are enacted according to the usual forms and conformable to the acts of Congress.

When the amendment to the Journal of the Council was made by striking out the words "the Council met pursuant to adjournment" on the 6th. Instant I understood that the opinion was expressed by the members of the council as it has also been upon other occasions - that you are actually holding an adjourned Session which is a continuation of a session from the first Monday in December Last.

I therefore respectfully inquire whether you are holding such adjourned session or any part of a "regular session that this doubt of the legality of your acts may be at once removed.

Executive department
Madison March 11. 1843 } J. D. Doty

1843
March 13. On this day His Excellency Governor Doty transmitted to the Members of the House of Representatives the following Message. —

To the Members of the House of Representatives.

When I met you on the 6th instant I stated in my Message that it was for the purpose of holding a Special Session. I have not deemed it my duty to enquire how, or in what manner, the assembly had become organized; but it is certainly important that the three branches of the Legislative department should unite in holding a Session, to give a legal Character to their proceedings.

It appears by your Journals that you are holding a Session which Commenced on the first Monday in December Last, and which has been Continued to the present time by adjournment or otherwise.

I met you on the 6th to hold a term which is styled by the Law a "Special Session"; and I can take no part or lot in any other.

It has been asserted by the Members elect, that all appropriations for the expences of the Legislature are and for years past have been, made by Congress in advance of the sessions. I am not informed of any appropriation which was made for this purpose before the first Monday in December; and we were informed by the Secretary that he had no money to pay the expences of a Session Commencing at that time.

The appropriation of $19.275. made on the 24th of December Last, it is well known was for the expences of

of a Session commenc on the first Monday in December 1842.

A Session for the expences of which no appropriation has been made, is expressly forbidden by the laws of the United States; and all of its acts must be unauthorised and illegal.

I therefore return the bill which was presented to me on Saturday last, after the adjournment of the House, and Mr Catt declined receiving it, or any other Bill, until advised that the Members are holding the "Special Session" appointed by the proclamation of the 31st of January last.

Executive department
Madison March 13. 1843 } A. D. Dodge

1843
March 16 On this day Simeon Baldwin filed his acceptance of the office of justice of the peace of Crawford County.

March 17 To the Legislative Council of Wisconsin

In my Message to the Council and House of Representatives on the 6th of March in reply to the information given by a joint Committee that gentlemen of the two Houses had assembled and were ready to to receive any communication the Governor might be pleased to make to them, I stated that I met the gentlemen of the Council and of the House of Representatives for the purpose of holding a Special Session.

It appearing to be doubtful by the Journals of the Assembly whether the members were holding a session according to the proclamation of the 30th of January last, I respectfully enquired of the Council on the 11th instant wether it was holding an adjourned session. Continued from the first Monday in december last.

To this inquiry I have not had the honor to receive a reply—

On the 15th a resolution was offered in the House to so amend its Journal that it should appear that the assembly Convened on the 6th instant pursuant to the said proclamation, and that the Special Session therein appointed is now being held. This Resolution did not pass—

As the House of Representatives have therefore terminated all further official intercourse between that body and the Governor for the present, it is immaterial what kind of a session the Council is holding altho it is disclaimed from its Journal and its silence to be a Continuation of the December Session. I deem it my duty to

inform you of the position assumed by the House; and that in my opinion I am not authorized by law to meet the assembly for any other purpose than to hold a special session, and that the law does not permit any other session to be held at this time-

Until the proclamation was issued the sixth of March was not a day "prescribed by law" for the commencement of a session; and no other law than the proclamation has appointed that day for the commencement of a Legislative term-

If the executive Journal shows that the laws are passed at a special session commencing on the 6th day of March, and the Journals of the assembly that they are passed at a "regular" session commencing on the first Monday in December last, there is little doubt that they would be of no force and that such legislation would bring upon the people endless difficulties-

I regret exceedingly that the course pursued by the Assembly prevents the dispatch of the public business; but the representatives of the people are presumed to know their interests and wishes better than the Governor does and may conceive they are acting in compliance with them when they refuse to meet the Governor and hold a special session-

But as I am not of this opinion, and know that it is the duty of the Governor to see that the laws are faithfully executed. I must decline receiving any bill from either House of the assembly until advised that they have convened under the said proclamation to hold a special session-

Executive Department
Madison March 17. 1843

J. D. Doty

1843
March 20th

" " To the House of Representatives

I have the honor to acknowledge the receipt this morning of Joint Resolution of the assembly passed on the 18th instant relative to the present session of the assembly- and to express my entire willingness to co-operate with the Council and House of Representatives in the dispatch of the public business.

Exy dept.
Madison March 20th 1843

J. D. Doty

1843
March 20. On this day His Excellency Governor Doty sent to the Council the following Message —

"To the Legislative Council:

The Joint Resolution to authorize the Cancelling of certain Canal Bonds I have signed and deposited in the office of the Secretary of the Territory.

I was not informed until today in which house it originated.

I have received during the past week by mail twenty Seven Canal Bonds returned at the instance of B. Kilbourn Esqr. which may also be cancelled when ever the assembly shall direct- There are therefore now Eighty nine Bonds surrendered -

Executive Dept
Madison March 20th 1843 } J. D. Doty

March 21. To the House of Representatives

I have this day approved and signed the act entitled "an act to organize certain towns therein named" & deposited it in the office of the Secretary of the Territory -

Ex Dept
Madison March 21st 1843 } J. D. Doty

" 21 To the Legislative Council;

I have today approved and signed an act entitled "an act to annex certain fractions of lots of land to the Town of Rock" and deposited it in the office of the Secretary of the Territory.

Ex Dept.
Madison March 21. 1843. } J. D. Doty

" 21 To the Legislative Council.

In reply to the Resolution of the Council of this day I have the Honor to state that the ~~Numbers~~ of the Bonds received during the past week at the instance of B. Kilbourn Esqr are - Four to thirty, each number inclusive -

Executive Dept
Madison March 21. 1843 } J. D. Doty

To the Legislative Council

I have approved and signed the act entitled "an act to change the name of Henry Landes Brown" and deposited it in the office of Secretary of the Territory

Executive dept
Madison March 23. 1843 } A. D. Doty

1843 —
March 23 On this day His Excellency Governor Doty by & with the advice and consent of the Legislative Council appointed and commissioned the following officers for the term prescribed by law

J. Allen Barber } Judge of Probate } Grant County
Edward Bicknell } Auctioneer } do do

28 "To the Legislative Council —

I return herewith the bill entitled "An act to provide for the election of Superintendent of Territorial Property and for other purposes"; with my objections thereto.

The first section provides "that there shall be elected by joint ballot of the Council and House of Representatives" "an agent of the Legislative Assembly, who shall be styled "Superintendent of Territorial Property" whose term of service shall commence at the time of his election, &c."

The second section provides "that there shall be elected at each regular annual session of the Legislative Assembly on such day as the two Houses by joint resolution shall prescribe, a Superintendent of Territorial property whose term of service shall commence at the termination of the session at which he is elected &c." —

The third section declares "that" all the duties which now devolve by law upon the Commissioner of public buildings &c shall devolve upon and be performed by the Superintendent".

The fourth section transfers the duties of the Librarian to the Superintendent; and the 8th section gives him a salary of three hundred dollars a year besides all expences incurred by him on account of the Territory."

The provisions of this bill create a civil office and confer the power to appoint the person to fill that office upon the Council and House of Representatives.

This transfer of the appointing power from the governor and Council to the Council and House of representatives & Council is a violation of the Ordinance of 1787, and of the 2nd and 7th sections of the act entitled "An act establishing the Territorial government of Wisconsin." The provisions of the latter section is that "The Governor shall nominate, and, by and with the advice and Consent of the Legislative Council, shall appoint, all Judicial Officers, Justices of the Peace Sheriffs, and all Militia officers except those of the staff, and all civil officers not herein provided for." "Vacancies occuring in the recess of the Council shall be

" 22 filled by appointments from the governor."

The Territorial property is not in the possession of the Council and House of Representatives nor is it placed by any law under their exclusive control. If the superintendent does not take good care of the property or is guilty of misbehavior, there is no provision made for his removal neither is there to fill a vacancy to preserve the property from waste or destruction. The assembly sits but seventy five days and can therefore know what is the actual condition of the public property but a few days in a year. The superintendent is required to give bond in the penal sum of two Thousand dollars only, when the value of the public property which will be delivered to him will exceed Forty thousand dollars. I do not think these provisions sufficiently guard and secure the interests of the territory.

The Bill creates a new office and transfers to it all of the duties of the Librarian and Commissioner with a salary of three hundred dollars and perquisites, but does not abolish those offices. The Librarian would still be entitled to receive three hundred dollars a year and the Commissioner allowed by law.

The 8th section provides that "the Superintendent shall "receive a salary of three hundred dollars to be paid by the secretary of the Territory out of the fund appropriated by Congress to defray the expences of the Legislative assembly."

If this fund can be appropriated to pay the salary of this officer, I do not see why the salary of every other officer under the Territorial laws may not also be paid out of it especially if they be called "agents of the Legislative Assembly," and "styled Superintendent of Territorial property, rights or interests."

Having no knowledge that this salary has been estimated for by the Secretary of the Treasury or that it is an object which has been approved by Congress, I have no reason to believe that it would be paid at the Treasury. I conclude that it would be in the same situation as the Scrip and bonds heretofore issued, and eventually be charged upon the people of this Territory.

The act of Congress of the 29th of August expressly provides that "no act, resolution, or order of the Legislative ~~assembly~~ of any Territory directing the expenditure of the sum (appropriated for its expences) shall be deemed a sufficient authority for such disbursements, and no payment shall be made or allowed unless the Secretary of the Treasury shall

22 have estimated thereon and the object been approved by Congress.
Executive department
Madison March 22d. 1843 } J. D. Doty

March 23 To the Legislative Council
I have this day approved and signed an act entitled "an act to provide for the election of Sheriffs, Judges of Probate and Justices of the peace" and deposited it in the office of the Secretary of the Territory
Executive department
Madison March 23d 1843 } J. D. Doty

" 23 To the House of Representatives
I have approved and signed the bill entitled "An act to change the time of holding Courts in certain Counties of the Second Judicial District and to provide for a change of venue in Criminal Cases" and deposited it in the office of the Secretary of the Territory -
Executive department
Madison March 23d 1843 } J. D. Doty

" 23 On this day the following communication was received from His Excellency J. D. Doty Governor to the Secretary

To the Secretary of the Territory -
The act of Congress entitled "an act to provide for the settlement of certain accounts for the support of government in the Territory of Wisconsin, and for other purposes" approved August 29th. 1842, required the Secretary of a Territory to furnish a copy of each law ten days after its passage, to the public printer for publication. There being no "public printer" appointed for this Territory, you are authorized to publish said laws in the Wisconsin Enquirer, printed at Madison until a public printer shall be appointed; the said Enquirer having been authorized to execute the public printing for the executive office of this Territory -
Ex. Dept. March 23. 1843.
J. D. Doty

" 24 To the Legislative Council
I have approved and signed a bill entitled "An act fixing the time of holding the Annual sessions of the Legislative Assembly and for other purposes" and deposited it in the office of the Secretary of the Territory
Executive Dept.
Madison March 24. 1843 } J. D. Doty

1843
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March 25

To the Legislative Council

I have this day approved and signed a bill entitled "An act to authorise Henry Thiem to build and maintain a dam on the Milwaukee river" and deposited it in the office of the Secretary of the Territory.

Executive Department
Madison March 25. 1843

A. D. Dodge

March 25 On this day His Excellency Governor Dodge (by and with the advice and consent of the Legislative Council) appointed and commissioned the following Officers to wit

John G. Bartlow	Justice of the Peace	Grant County
William C. Fullerton	do do	
Samuel Tompkins	do do	
Armsted C. Brown	do do	
Peter Coyle	do do	
Samuel Ashley	do do	
James Bonham	do do	
Hugh R. Cotter	do do	
Thomas J Emerson	Supreme Court Com.	
William C. Fullerton	do do	

March 25

William B. Sheldon	Notary Public	Rock County
Mathias Stein	Justice of the Peace	Milwaukee County
Harris S. Burnett	do do	
William Hale	do do	
Isaac C. Louis	do do	
Asa Kinney	do do	
Jeremiah McCreedy	do do	
Simon Dolph	do do	
Jarius Chadwick	do do	
John Ogden	do do	
Cornell W. Patterson	do do	
Eben Marleton	do do	
Aaron Putnam	do do	
Noon Spear	do do	
Alfred W. Morris	do do	
Ishel Finch Jr.	do do	
George S. Hosmer	do do	
Felton P. Hawks	do do	
Eben Rowe	do do	
Henry A. Hinkley	do do	
David Boutwell	do do	
William A. Prentiss	do do	
Jeremiah B. Sanders	do do	
Timothy Wainright	do do	
Philip Schuyler	do do	
Hosea Smith	do do	

1843 Appointments Continued.

March 25	Peter St. Lawrence	Justice of the Peace		
"	" John Marsh	do	do	
"	" Nathan Goodell	do	do	
"	" Edward E. Moore	do	do	
"	" John Palmer	do	do	
"	" Nelson R. Smith	do	do	
"	" Justin Olin	do	do	Milwaukee
"	" Martin Field	do	do	County
"	" Cyrus D. David	Auctioneer		
"	" John H. Rague	do	do	
"	" Peter Yates	Supr. Court Comr		
"	" Francis Randall	District Attorney		
"	" Henry S. Brown	Notary Public		
"	" Benjamin St. Edgerton	do	do	
"	" Abraham D. Smith	Master in Chancery		
"	" George N. Tiffany	Public Admr		
"	"			
"	" Daniel W. Kellogg	Justice of the Peace		
"	" John Richards	do	do	
"	" Harmon Jacid	do	do	
"	" Alexander Hoffman	do	do	
"	" John T. Bailey	do	do	
"	" Benjamin Nute	do	do	
"	" George Hebard	do	do	
"	" Abraham Finch	do	do	
"	" William Sanborn	do	do	Jefferson
"	" Winslow Blake	do	do	County
"	" Norman Horton	do	do	
"	" Charles B. Finch	do	do	
"	" Martin S. Bates	do	do	
"	" John C. Gilman	do	do	
"	" John Morrison	Judge of Probate		
"	" John A. Chadwick	Notary Public		
"	" N. F. Hyer	Supr. Court Comr		
"	" Geo. F. Markley	District Attorney		
"	"			
	" William Prideaux	Justice of the Peace		
"	" Nicholas Uren	do	do	
"	" C. C. Clyneson	do	do	
"	" Thomas Chilton	do	do	
"	" Henry Low	do	do	Dodge
"	" James B. Estes	do	do	County
"	" Hugh Long	do	do	
"	" Dyer Irwin	do	do	
"	" John Messersmith	do	do	
"	" Edwin B. Carton	Supr. Court Comr		
"	" C. C. Washburn	Master in Chancery		

1843 March 25 On this day his Excellency Governor Doty by and with the Consent of the Legislative Council

" " Appointed and Commissioned the following Officers

" " -to wit.

"	"	John Perry	Justice of the Peace
"	"	William Bayles	do do
"	"	Hiram Tuttle	do do
"	"	Elisha J. Gardner	do do
"	"	Jacob Linzee	do do
"	"	John W. Stewart	do do
"	"	Nathaniel W. Dean	do do
"	"	Rhodolphus D. Derrick	do do
"	"	Martin Bunt	do do
"	"	John A. Bingham	District Attorney
"	"	John W. Stewart	Supr Court Comr
"	"	Daniel S Sutherland	Judge of Probate
"	"	Samuel Hale jr	Judge of Probate
"	"	Louis Butterfield	District Attorney
"	"	Saml. C. Chase	Inspectors of Provisions
"	"	Abner Rouse	Inspectors of Provisions
"	"	Lorenzo Janes	Master in Chancery
"	"	Alfred Cary	Supr. Court Comr
"	"	Wm. H. Watterman	Notary Public
"	"	Caleb B. Barnes	do do
"	"	John Ramsdale	do do
"	"	Marshall M. Strong	do do
"	"	Levi H. Cary	do do
"	"	Elijah Steele	do do
"	"	Wm. D. Paddock	Justice of the Peace
"	"	Horatio C. Ivam	do do
"	"	Samuel Booth	do do
"	"	Guerden Lecon	do do
"	"	Lelah Whitman	do do
"	"	John Kelley	do do
"	"	Seth Warner	do do
"	"	Abiel Whitman	do do
"	"	Ezra Bickard	do do
"	"	Benj. C. Van Court	do do
"	"	James Preston	do do
"	"	Ira Hulburt	do do
"	"	Robert C. McClelland	do do
"	"	Stanton D Warner	do do
"	"	Linus P. Rich	do do
"	"	Samuel Hale jr.	do do
"	"	Hiram Tuttle	do do
"	"	Reuben N. Deming	do do
"	"	Cornelius Bresee	do do
"	"	Richard C. Ela	do do
"	"	Chauncey Kellogg	do do
"	"	Edward Bruce	do do
"	"	Albert G. Northway	do do
"	"	Thomas Slade	do do

Green County

Racine County

1843 March 25 — On this day His Excellency Governor Doty by and with the advice of the Legislative Council appointed and commissioned the following officers to wit.

" "	William W. Patrick	Justice of the Peace	Dane County
" "	William Juicly	do	do
" "	Solomon Head	do	do
" "	William H. Andrews	do	do
" "	George L. Dyke	do	do
" "	Harvey Bush	do	do
" "	Garland Thomas	do	do
" "	Erastus Guicly	Public Admr	do
" "	Isaac W. Bird	Auctioneer	do
" "	Alexander L. Collins	Notary Public	do
" "	Samuel H. Farnsworth	Justice of the Peace	Brown County
" "	Peter B. Grignon	do	do
" "	Edwin Hart	do	do
" "	Edmund W. Follett	do	do
" "	Charles Chapman	do	do
" "	John V. Suydam	do	do
" "	Charles A. Grignon	do	do
" "	Henry B. Kelso	do	do
" "	Antoine De. Quindre	Notary Public	do
" "	Nathan Goodell	Inspector of Provisions	do
" "	Samuel Ryan	Auctioneer	do
" "	John F. Lesley	do	do
" "	John F. Meade	Notary Publicll	do
" "	Joseph S. Pierce	Justice of the Piece	Rock County
" "	Payton Russell	do	do
" "	Levi Kinney	do	do
" "	Charles Rundell	do	do
" "	Noah Cole	do	do
" "	William Yancey	do	do
" "	Nelson Eldred	do	do
" "	John W. Dickinell	do	do
" "	Thomas Vaughn	do	do
" "	Samuel Stolman	do	do
" "	John Hackett	Notary Public	do
" "	Charles Hart	Auctioneer	do
" "	Abraham C. Bailey	Supr. Court Comr	do
" "	Aaron Cheney	District attorney	do
" "	Joseph Printiss	Justice of the Peace	do
" "	Leander Judson	Auctioneer	Grant County
" "	Lewis Wood	Justice of the Peace	do
" "	Calvin Pier	Justice of the Peace	Fondu Lac County
" "	Benjamin F. Smith	do	do

1843 March 25 — On this day His Excellency Governor Doty, by and with the advice and Consent of the Legislative Council, appointed and Commissioned the following Officers, viz:

" "	Jasper Wright	Justice of the Peace	Walworth County
" "	Ira Allen	do do	
" "	Enos I. Hazard	do do	
" "	N. Smith Young	do do	
" "	Stephen S. Barlow	do do	
" "	Thos. Lyon Jr.	do do	
" "	Roath P. Davis	do do	
" "	Elias Hibbard	do do	
" "	John Tiffithorn	do do	
" "	Amos Alden	do do	
" "	Dan Rowe	do do	
" "	Jesse Hand	do do	
" "	John F. Potter	Supr. Court Comr.	
" "	Christopher Douglass	do do	
" "	Experience Esterbrook	Notary Public	
" "			
" "	Abraham McKernan	Judge of Probate	Dodge County
" "	George W. Sums	Notary Public	
" "	Thomas Mackie	Justice of the Peace	
" "	Abraham McKernan	do do	
" "	Edmund S. Bailey	do do	
" "	James Clauson	do do	
" "			
" "	Chester Ford	Justice of the Peace	Winnebago Co.
" "			
" "	Anson Dart	Justice of the Peace	Marquette Co.
" "	Butler G. Clem	do do	
" "			
" "	Forrister G. Dexter	Justice of the Peace	Portage County
" "	Henry Carpenter	do do	
" "	La Fayette Hill	do do	
" "	Enoch G. Bean	do do	
" "	Stephen W. Woodward	do do	
" "	Satterlee Clark Jr.	Auctioneer	
" "			
" "	Isaac O. Briggs	Auctioneer	Sauk County
" "			
" "	James Rommell	Justice of the Peace	Washington Co.
" "	Frederick W. Horn	do do	
" "	Aurora Adams	do do	
" "	Levi Ottrander	do do	
" "			
" "	Charles H. Oakes	Justice of the Peace	St Croix Co.
" "	William A. Aitkin	do do	
" "	James P. Scott	do do	

1843 On this day His Excellency Gouvernor Doty by and with the
March 25 advice & Consent of the Legislative Council appointed and
" " Commissioned the following Officers. towit;
" " James D. Lockwood } Judge of Probate }
" " Samuel A. Clark } Auctioneer
" " Leander Le. Close } do do
" " Miram S. Allen } Justice of the Peace
" " Samuel G. Bassett do do
" " Jacob Spalding do do
" " Isaac Bell do do
" " James D. Lockwood do do
" " Alvah C. Rogers do do
" " John V. Ingersoll } Notary Public

Crawford County

" " Thomas W. Baker } Justice of the Peace
" " Frederick Borchardt do do } Manitowoc County

" 27 On this day R. D. Derrick Esqr Justice of the Peace for
" " Green County filed a certificate of his acceptance & oath of
" " office.

" " To the Legislative Council

on the 25th instant I approved and signed a bill entitled "An act to repeal so much of the several acts of of the Legislative Assembly of this Territory as authorises the sale of any portion of the lands granted to the Territory by the act of Congress of June 18th 1838. to aid in the Construction of the Milwaukee and Rock River Canal and to amend an act approved February 19th 1841. Supplimentary to the several acts in relation to said Canal" and have today deposited it in the office of the Secretary of the Territory

Executive Department
Madison March 27 1843. } A. D. Doty

" 27

" " # Extra-Special Session

" " On this day His Excellcy Gouvernor Doty Communicated
" " to each House of the Legislative Assembly; by Charles Doty his
" " his private Secretary; the following Message in Writing.

" "

" " Gentlemen of the Council
And House of Representatives.

I respectfully invite your attention to the various subjects presented in my Message of the 6th instant which have not already received your consideration; and renew the assurance that I shall Cheerfully Co-operate with the Assembly in all such Measures as may be deemed for the public good, and

1843
March 27
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upon which by the acts of Congress, we have the right to legislate-

The Supreme Court of the United States has lately decided that the laws in force when a contract is made become a part of the contract, without any express stipulation to that effect and any subsequent law impairing the rights thus acquired injuriously to the obligation which the contract imposed. I submit to the assembly whether there is any law of the Territory which conflicts with this decision, and which may therefore require amend-ment.

I avail myself of this occasion to remark that I consider the appointment of civil officers of the Territory by the Council and House of Representatives the exercise of an authority not granted by the acts of Congress; and being an encroachment upon the powers of the Executive, it will become my duty to resist it by such means as the Constitution has provided for the Executive to protect itself.

Executive Department
Madison March 27th 1843

S. D. Doty

" "

" 29 To the Legislative Council

I have this day approved and signed "An act to legalize the proceedings of the inhabitants of Winnebago County in the organization of said County;" and deposited it in the office of the Secretary of the Territory.

Ex Dep.t
Madison March 29. 1843.

S. D. Doty

" 29 To the House of Representatives

I have this day approved and signed a bill entitled "An act to authorize Levi Godfrey, Philo Belden and Willard S. Hulbert to build and Maintain a dam on Fox river. and deposited it in the Office of Secretary of the Territory.

Ex dept.
Madison March 29 1843.

S. D. Doty.

" "

" 29 On this day His Excellency Governor Doty, by and with the
" " advice and consent of the Legislative Council appointed and
" " Commissioned the following officers to wit
" " Mahlon W. Darnall } Justice of the Peace
" " Edward Sprague } do do } Grant County
" " Whiting Bushee } Auctioneer

" "

" " George H. Markley } Sup.r Court Com.r } Jefferson County

" "

" " James St. Knowlton } Justice Peace } Rock County

1843
March 30 To the House of Representatives

I have this day approved and signed a bill entitled "an act in relation to the duties of certain Territorial officers" and a bill entitled "An act to authorise the village of Racine to raise Money and for other purposes" and deposited the same in the office of the Secretary of the Territory.

Executive department
Wiskonsan
Madison March 30. 1843

A. D. Dots

" 30 To the Legislative Council-

In compliance with a resolution of the Council of this day a copy of the estimates Submitted to the Treasury Department by the Governor of this Territory, for the support of Government in Wiskonsan for the half year ending June 30th 1843. and for the fiscal year ending June 30th, 1844. is herewith Communicated.

Ex. Dept.
Madison March 30. 1843.

A. D. Dots

" 30 On this day N. F. Hyer Supreme Court Comr in and for Jefferson County filed his Certificate of having this day
1843 taken the oaths of office &c.
April 1st

" " To the House of Representatives

I have this day approved & signed a bill, entitled "an act to provide for the Punishing the Crime of imbezzlement by public officers" and deposited it in the office of the Secretary of the Territory-

Ex Dept Wiskonsan-
Madison April 1. 1843

A. D. Dots

" 1. To the Legislative Council

I have this day approved & signed a bill entitled "An act to legalize certain township elections and the official acts of Township officers elected, in April 1842"

Also a bill entitled "an act to change the boundaries of certain towns therein named" Also a bill entitled "an act to regulate the fees of clerks, in cases of Naturalization"

And also a bill entitled "an act to authorize the Construction of certain dams across the Rock River" and deposited the Same in the office of the Secretary of the Territory-

Ex Dept Wiskonsan-
Madison, April 1. 1843.

A. D. Dots

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April 4

To the Legislative Council

I nominate Henry Brown Sandford to be a Notary Public for the County of Milwaukee; Samuel Ashley to be a Justice of the Peace for the County of Grant: Wendlow Blake to be District Attorney for the County of Jefferson.

Executive Department
Madison April 4. 1843.

J. D. Doty

" 5 To the Legislative Council

I have this day approved and signed a bill entitled "An act to authorise the Register of Deeds of Washington County to procure copies of certain Records from the Office of Register of Deeds of Milwaukee County;" A Bill entitled "An act to incorporate the Prairieville Manufacturing Company;" and "Resolutions asking Appropriations of land by Congress for the purpose of establishing within the Territory of Wisconsan institutions for the instruction of the deaf & Dumb and blind, and an asylum for the Insane," which are deposited in the Office of the Secretary of the Territory.-

Ex. Dept. Wisconsan
Madison April 5. 1843.-

J. D. Doty

" 4 To the Legislative Council

The Bill entitled "An act to provide for the election of a Territorial Printer" is herewith returned without my signature; and I respectfully submit my objections thereto.

1st Sec. 1st. requires the Territorial Printer "to give a bond to the Territory of Wisconsan." It is well known to every Lawyer that no suit or indictment can be maintained in her name; and that for this reason all prosecutions for violations of the laws of the Territory are and can have been in the name of the United States.

A bond given to a Union might at will be sued and collected in the name of the Union. A Territory does not possess any portion of the Sovereignty of a State; and until she becomes a State the entire Sovereignty rests in the United States. She is Compelled to enforce her laws in the name and by the authority of that government which she represents and in virtue of which all her acts are passed.

The Supreme Court of the United States has declared that Congress possesses and exercises "the absolute and undisputed power of governing and Legislating" for the Territories; and also that Congress-

exercises [over them] the combined powers of the general and of a State Government - 6 Cranch's Reports 332. / Peters Reports 566.

The Bond therefore does not in any officious degree accountability to which all public officers should be held.

This section provides that the bond shall be deposited with the clerk of the Supreme Court. The clerk of it an officer of the Court and not of the Territorial government. He is appointed by the Court and holds his office during its pleasure. He is responsible to it for the performance of his duties but the duty of keeping safely, and for the use of the Territory, the bonds of public officers is not enjoined upon him either by the Court or by law. If he is guilty of misbehaviour, or if he should destroy this bond, the Assembly has no power to remove or punish him.

It appears to me therefore that this section provides that a bond shall be given by the printer which when executed will be good for nothing, and that when executed it shall be thrown away.

2nd. The 7th section conflicts with the act of Congress which declares that "no act resolution or order of the Legislature of any Territory directing the expenditure of the sums appropriated for the support of government therein) shall be deemed sufficient authority for such disbursement" This section declares that the receipt of the Superintendant shall be "a sufficient voucher to authorise the Secretary of the Territory to pay to said printer the amount therein specified.

The Secretary has the right by Law to judge for himself whether a voucher is "sufficient" to authorise him to make the payment, and it is also his right because it is his duty, or I conceive - to determine whether the "amount" charged by a public creditor is the proper sum to be paid for the services rendered. If the assembly was to declare that a favourite printer should receive Eleven thousand dollars for a service which was not worth more than five thousand and which others equally competent offered and were ready to perform for five thousand and, surely no one can doubt which sum ought to be paid by him.

3d. The effects of the provisions of this Bill will be to establish and maintain a press for the support of a political party, with the funds granted by Congress for the support of this government, and to give to the newspaper published by it a circulation and a preference over those issued from other presses in the Territory.

If the press thus selected should happen to be opposed to the administration of the Government of the United States the interest of the Territory might be greatly prejudiced by it.

If every press was allowed an equal opportunity to become employed to execute the work by an officer

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" 4
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give it to the lowest bidder who should give satisfactory security, it could not then be controlled by the party which might have a majority in the assembly, or the services performed in any other than the most economical manner. Competition would secure economy, and preserve unpolluted the medium through which the people receive intelligence of public affairs and of the acts of their officers.

The Assembly has before it several propositions, with a tender of ample security to do the printing for the Territory for a sum almost one half less than this bill gives to the public printer for the same work. This alone would be sufficient to compel me to withhold my assent.

In addition to the foregoing objections I must add those heretofore stated relative to the appointing power

J. D. Doty

Executive department Wisconsin
Madison April 4th 1843.

" 5 On this day his Excellency Governor Doty by and
" " with the advice and consent of the Legislative Council
" " Associated & Commissioned the following persons to wit:
" " Ephraim Vaughan } Justices of the Peace } Grant County
" " O. H. Conway } do do }
" " Winslow Slade } District Attorney } Jefferson County
" " Henry Brown Sanders } Notary Public } Milwaukee County
" "

" " To the Legislative Council

I return to the Council the bill entitled "An act to amend an act to prevent trespasses and other injuries arising prior to the possession of Settlers on public lands approved January 4. 1840."

My objections to this Bill are that
The occupancy and disposal of the public domain are not subjects upon which the assembly was allowed by law to Legislate. They have been legislated upon by Congress and are under its exclusive Control. No legal rights can be acquired or created in or over the public lands otherwise than by the laws of the United States. Its provisions particularly conflict conflict with the act entitled "An act to appropriate the proceeds of the Sales of the public lands and to grant pre emption rights" approved September 4. 1841.
The Tenth, eleventh, twelfth, thirteenth and fifteenth Sections of this act prescribe the manner and regulate the terms upon which Settlers may occupy the public lands.

I do not perceive that the provisions of this bill

" 5 or of the act to which it is amendatory, correspond with the title.
" " Executive department
" " Wis Territory Madison April 5. 1843 } J. D. Doty
" "
" 6 On this day His Excellency Governor Doty by and with the advice
" " and consent of the Legislative Council appointed and commissioned
" " Joseph P Hurlbut Justice Peace & Racine County
" "
" " To the house of Representatives
" " I have this day approved and signed the Bill entitled
" " "An act for the collection of certain taxes in the County of
" " Milwaukee". and deposited the same in the Office of the Secretary
" " of the Territory.
Executive dept Wisconsan
Madison April 6. 1843. J. D. Doty

" 7. To the House of Representatives
I have this day approved and signed a "Resolution in relation to renting a certain room in the Capitol to the County of Dane", and deposited it in the office of the Secretary of the Territory —
Executive Dept. Wisconsan } J. D. Doty
Madison. April 7. 1843 }

" 7. To the Legislative Council.
I have this day approved and signed a bill entitled "An act to legalize the official acts of James H. Lockwood"; and a bill entitled "An act to authorize Cloudus Stoughton and Luke Stoughton to build and maintain a dam across the Rock River, and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said Stream", and deposited the same in the office of the Secretary of the Territory —
Executive Department Wisconsan } J. D. Doty
Madison. April 7. 1843. }

" 8. To the Legislative Council.
I have the honor to state, in reply to the Resolution of the Council this day passed, that I have no knowledge that the distributive share of Wisconsan, of the nett proceeds of the public Lands, has been drawn from the Treasury of the United States —

Executive Department Wisconsan } J. D. Doty
Madison April 8. 1843. }

" 10 To the Legislative Council
On the 20th day of July last a suit was commenced in the District Court for the County of Dane —

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" 10.
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against "The Tenitory of Wiskonsan" by William Doughty
to recover the interest due on two Bonds issued by the Hon.
Henry Dodge as Governor of this Tenitory for the sum of one
thousand dollars each, dated the 15th of March. 1841.

The Summons which was served upon me as the Executive of
the Tenitory, is herewith transmitted, that such steps may
be taken on the part of the Tenitory as to you may ap=
pear necessary, either for the payment of the demand or
for the defence of the suit.

The question is thus presented, whether the people of the
Tenitory can, by the name of "The Tenitory of Wiskonsan",
sue or be sued.

Executive Department
Madison April 10. 1843.

J. D. Doty

" " To the Legislative Council.

I have approved and signed bills with the following
titles, to wit:
"An act relative to Dodge County." "An act to change
the names of certain towns in Walworth County."
"An act to alter the boundaries of certain towns in
the Counties of Racine and Rock." "An act to repeal
the fourth section of an act entitled "An act to or=
ganize the County of St. Croix; and" to legalize the acts
of certain officers in said County, and for other purposes."
Also a "Resolution relative to wood furnished for the
Legislative Assembly"; and have deposited the same in
the office of the Secretary of the Tenitory.

Executive Dept. Wiskonsan
Madison April. 10. 1843

J. D. Doty

" " To the House of Representatives

I have this day approved and signed a bill
entitled "An act to change Silas Pick and David
S. Wells to construct a Dam across the Hoy River"
also a bill entitled "An act to repeal an act incorpo=
rating the State Bank of Wiskonsan" and have depos=
ited the same in the office of the Secretary of the Tenitory.

Executive Department
Wiskonsan Madison April 10. 1843

J. D. Doty

" 11. To the Legislative Council.

I have the honor to state in reply to your second Res=
olution of the 8th instant, that it is provided by the 3d sec=
tion of the act entitled "An act to appropriate the proceeds
of the sale of the public lands, and to grant preemption

" rights." That the annual sums of money received in the as the nett proceeds of the sales of the public lands shall be paid at the Treasury half yearly, on the first day of January and July in each year, during the operation of this act, to such person or persons as the respective Legislatures of the said States and Territories or the Governors thereof, in case the Legislatures shall have made no such appointment, shall authorize and direct to receive the same."

The Legislature having failed at its session in February 1842. to appoint a person to receive the share due to Wisconsin, and in order that this fund might be placed on interest until it should be required for the use of the Territory, in compliance with a communication made to me from the Treasury Department in January last I authorized David Lambert Esq. to draw the distributive share of Wisconsin in a Treasury note bearing the usual rate of interest allowed by the laws of the United States, if the Secretary of the Treasury would allow the note to be deposited in the Treasury of the United States to the credit of the Territory, deeming that the proper place in which to deposit it for security.

The Secretary declined to issue the note, on the ground that he had no authority to make the payment in this manner, and I have not since renewed the authority to Mr. Lambert or to any other person, as the Assembly was about to convene in special session when the Letter of the Secretary of the Treasury of the 30th of January was received.

If however, the Legislature does not otherwise direct, I shall deem it my duty to cause this fund to be drawn and invested in Treasury notes of the United States, that it may be upon interest until it be appropriated by law.—

I submit herewith the correspondence between the Treasury Department and myself on the subject, and as the Letters are the original I respectfully ask that they may be returned to this office after they are no longer required by the Council for its use.

Executive Department Wisconsin
Madison Oct. 10. 1843

I. D. Doty

12. To the Legislative Council

I have this day approved and signed a bill entitled "An act to repeal a part of an act therein mentioned." and deposited it in the office of the Secretary of the Territory—

I. D. Doty

Executive Department
Madison Oct. 12. 1843.

April. 12. To the House of Representatives.

" 282 In reply to the Resolution of the House of the 8th instant I have the honor to state that there has never (to my knowledge) been issued under my signature any bonds purporting to be "Wisconsin School Bonds" or any other Territorial Bonds of the denomination of one thousand dollars, or any other denomination.—

Executive Department
Wisconsin Madison April. 12. 1843. } J. D. Doty

" 13. To the Legislative Council.

I have approved and signed a bill entitled "An act to repeal certain parts of the several acts concerning the Militia and for other purposes" also a bill entitled "An act to authorize the erection of a Bridge across Fish creek" also a bill entitled "An act relative to the sessions of Crawford County" and a bill entitled "An act to authorize the election of an additional Justice of the Peace in certain towns" and deposited the same in the office of the Secretary of the Territory

Executive Department
Madison. April. 13. 1843 } J. D. Doty

" " To the House of Representatives.

I have approved and signed a bill entitled "An act to provide for laying out certain Territorial Roads." and "An act to make valid the official acts of Frederick Borchardt, a Justice of the Peace." and deposited the same in the office of the Secretary of the Territory.

J. D. Doty

Executive Department
Madison April. 13. 1843.

" 13 On this day His Excellency Governor Doty by and with the " advice and Consent of the Legislative Council appointed " " and commissioned the following officers to wit

" " H. Allen Parker } District attorney } Grant County

" " Lutlen Pluckett. } Sup. Court Comr. } Portage County

" " Malachi S White } Justice of the Peace } Milwaukee County
" " Luther Parker }

" " Lorain T. Pease } Sup. Court Comr. } Brown County

April.
" 14. To the Legislative Council.

I return herewith the Bill entitled "An act to abolish certain offices therein named" which originated in the Council. The first section abolishes the office of District Attorney and transfers his duties to such attorneys as may be employed by the Board of Supervisors or County Commissioners in each County.

Those duties are prescribed in the 3rd sec. of the act concerning the Attorney General and District Attorneys, and are as follows: "It shall be the duty of the District Attorneys to prosecute or defend in all Courts of the Judicial for which they may be respectively appointed; all suits, applications or motions, whether civil or criminal, in which the United States, the Territory, the County or any Township in such District is interested or a party, and give their advice to the civil officers of such Districts touching any matter in which the public have an interest"

The attorney who is to be "employed" by the Board will perform the duty, and receive the pay of an officer, but cannot therefore, and from the character of his duties, but regard him as a Judicial or civil officer, who must, according to the act of Congress to establish the Territorial Government of Washington, be appointed by the Governor and Council, and be commissioned by the Governor.

Where there are several counties in the same Judicial District, it will be impossible to determine which County or which County shall "employ" the Attorney to attend to suits in the District Court in which "the United States or the Territory may be interested or a party."

The Territorial government ought, in my opinion, to select the person to represent the Territory and protect its interests in the Courts; and I believe that this power cannot be delegated with safety to those interests.

The 2nd section repeals so much of the act above cited as fixes the salary of the Attorney General at two thousand five hundred fifty dollars, and declares that he "shall receive as such compensation for his services as the Legislative Assembly may think proper." If it be intended that the words "Legislative Assembly" as here used shall be construed to mean the Council and House of Representatives, I must express my dissent to this provision, as it would exclude the Governor from participation with them in the exercise of a Legislative power conferred upon him and them by the act of Congress.

The regulation of the salaries of public officers, involving as it does the amount of taxes to be assessed upon the people, is a measure of vital importance to the public interests, and upon which they are entitled to require the action of the three branches of the Legislature. I do not cannot but think that such a provision as this, if it were

April
" extended to all of the public officers, would be of. if not
" 28 14. destroy, their independence. Uncertain pay generally commands
unfaithful servants.

In this provision there is no limitation of the amount which the majority of the Assembly might think proper to allow for the services of the Attorney General; and of course there is no limitation of the amount which the people may be taxed therefor for these reasons I cannot approve

Executive Department Wisconsin
Madison, April 14. 1843. } J. C. Doty

" 15. To the Legislative Council.

I have approved and signed a bill entitled "An act to provide for laying and collecting a Territorial Revenue." and a bill entitled "An act to amend an act entitled an act to provide for the government of the several towns in this Territory, and for the division of County government." and deposited them in the office of the Secretary of the Territory.

Executive Department Wisconsin
Madison April. 15. 1843. } J. C. Doty

" " To the House of Representatives,

I have approved and signed a bill entitled "An act to provide for laying out and opening Territorial roads" and a bill entitled "An act authorizing the Governor to offer rewards for the apprehension of Criminals in certain cases" which I have deposited in the office of the Secretary of the Territory.

Executive Department Wisconsin
Madison April. 15. 1843. } J. C. Doty

15.

" On this day His Excellency J. C. Doty in and with the advice
" and consent of the Legislative Council appointed and Commissioned the
" following officers, to wit;

"

" Benjamin F Van Cort } Notary Public } Rowan County
" George Seeley, Justice of the Peace }

" To the House of Representatives,

I have approved and signed a bill entitled "An act to make valid the official acts of George McWilliams Edwin Hart and Seyman Corpman Justices of the Peace" also a Memorial entitled "Memorial to Congress relative to the improvement of Rock River" and deposited them in the office of the Secretary of the Territory.

Executive Department Wisconsin
Madison April. 15. 1843. } J. C. Doty

April.

" 15. To the Legislative Council.

I have approved and signed a bill entitled "An act to organize the Town of Pike in the County of Racine and to annex certain land to the Town of Southport in said County," and deposited it in the office of the Secretary of the Territory —

Executive Department Wisconsin
Madison April. 15. 1843. } J. D. Doty

" 17 To the Legislative Council.

I have approved and signed the "Memorial of the Legislative Assembly of Wisconsin praying the office of Governor of the Territory may be made elective by the people" also bills with the following title, to wit;

"An act to amend the several acts relative to the town of Milwaukie;" "An act in relation to dams on the Manitowoc river"; "An act concerning the City of the four Lakes," "An act to amend the statutes of the Territory relative to sales of land under execution or Mortgage, and to legalize certain Conveyances"; and "An act to amend the act authorizing Samuel A. Ammon to build and maintain a dam on the Manamonee River"; which are deposited in the office of the Secretary of the Territory.

Executive Department Wisconsin
Madison April. 17. 1843. } J. D. Doty

" 14. On this day His Excellency Governor Doty by and with the advice and consent of the Legislative Council appointed and commissioned the following officers, to wit:

John V. Ingersoll, District Attorney, Crawford County

John Bullen Sendt, Notary Public, Brown County

April.
" 15. In the Legislative Council.
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Of the Joint Resolutions which originated in the Council, and which are entitled "Joint Resolutions relative to the distribution there of Riparian rights in the Mill privileges of the Public Lands," I return herewith; and respectfully submit the following objections thereto.

The first Resolution authorizes "Joshua Hathaway of Milwaukee County Recorder of the Board of Commissioners of the Milwaukee and Rock River Canal," to receive the sum of one thousand and eighty two dollars and forty five Cents, the sum of Riparian above mentioned.

The records of this office show that Mr. George D. Dousman was the person last appointed Recorder of said Board: and it does not appear that Mr. Hathaway was ever duly appointed to that office and Commissioned; or that he has given the bond and security required by the Statute to be given by the Recorder.

The second Resolution authorizes "Joshua Hathaway to pay to Joshua Hathaway and Allen M. Hatch, the amount of money by them borrowed, together with the interest thereon, mentioned in a resolution of the Legislative Assembly, adopted in December last, entitled a Resolution to authorize the Register and Recorder of the Milwaukee and Rock River Canal to borrow certain moneys."

No such resolution as that one above cited ever passed the Legislature, and therefore no money could have been borrowed or liability incurred, on the part of the Territory.

If the resolution above alluded to be one which was passed by the members of the Council and House of Representatives, at their informal meeting "in December last" then I object to it—

1st. That the Resolution was passed at a session unauthorized by Law, and without the sanction of, or presentation to, the three branches into which the Legislative power of the Territory is divided.

2nd. That it is not a law; and no money can, or ought to be borrowed on the faith of the people of the Territory, or drawn from the treasury, but by law.

3rd. It authorized the borrowing of money to pay the delinquent taxes of the settlers on the Milwaukee Canal Lands, which is not a "right fit subject of legislation." The power to borrow money on the faith of the people has not been granted to the legislature.

4th. It is unjust to the citizens of other parts of the Territory to lay them to pay the taxes of those settlers.

5th. The Canal Lands belong to the Territory until the consideration for the same be paid; and the property of the Territory is not liable to taxation. No other interest in the Lands but that of the purchaser could be taxed or sold; and that interest is contingent upon the payment of the purchase-money.

The Territory owes nothing to Messrs. Hathaway and Hatch.

They hold no demand against it which we are required to pay. This money belongs to the Territorial Treasury and not to the Canal Fund; and, in my judgment, should be applied to Territorial purposes.

But if there were any authority to lay these taxes, the amount of the delinquent tax ought to be taken from the Canal Fund; and the Register and Receiver have not done their duty if they have allowed them to be sold if there was any part of this fund unexpended. If there was none, it was not right for the Legislature to remit all of the interest, and to postpone the payment of the principal, due from the purchasers of those lands. Certainly this is no reason why the people of the Territory should be taxed to supply the deficiency thus created in the Fund.

On the whole, it seems that the purchasers of those lands have got the possession of them, by paying only ten per cent. of the purchase money; they occupy and enjoy them as their own, all future payment being indefinitely postponed; and it is now proposed to take money from the Territorial Treasury, and which belongs to the people of the Territory, to pay the taxes.

The Council and House of Representatives I am aware have assumed the exclusive control of the Canal Fund and Lands, by the appointment of the Canal Board; but I presume they will not deny the right of the Executive to resist by all of the constitutional means in his power any attempt to levy new taxes or take the money from the Treasury for such a purpose. And I cannot but notice the fact, that since those Resolutions were introduced, the Assembly has found it necessary, to meet the demands of the public creditors for debts incurred by the Legislature in former years, to pass a law to levy a direct tax upon real and personal property, which will when collected amount to several thousand Dollars. And other laws have been passed at this session authorizing increased taxation in the Towns and Counties; and I am unwilling to see them further increased or to give occasion therefor by the passage of these Resolutions.

J. D. Doty

Wisconsin
Executive Department
Madison April 15. 1843.

April. 15. To the Legislative Council.

I return herewith the bill entitled "An Act to change the time of holding Courts in certain Counties of the second judicial district, and to provide for a change of venue in Criminal Cases, and for other purposes" without my signature, and state the following objections to it.—

The act to which this is amendatory was passed on the 23d of March last, and I have not learned that any thing has occurred to require any alterations to be made in its provisions. The necessities with which the Courts are pressed, and their pressing claims by recognizances to, and proceedings which require continuances by adjournments, have been substituted since the passage

April 15. of said act" of the 23rd of March, the bill declares they shall be
288 returnable to the term next after the day of issuing the same, any
thing in the 2nd sec. of the said act to the contrary notwithstanding."

This would, of course change the return day of a writ already
issued, and require the defendant to appear and answer the suit on
a day not named in the writ, and of which he has no notice.
I do not think this would be just, even if we had the power
to require it.

I object to the 2nd section because it authorizes costs to be
taxed without notice to the "adverse party" if he, or his attorney,
do not reside "within the County" in which the judgment was
rendered.

The 3rd. section is deemed unnecessary, ample provision
being already made upon the subject therein mentioned.

Executive Department
Wisconsin, Madison (April, 15. 1843.)

J. D. Doty

" To the House of Representatives.

I return herewith the bill entitled "An Act concerning
removals from office," without my signature.

To the first section I have no objections; on the contrary,
I approve of the provision and should sign the bill if it did
not contain another enactment and which is in no way
connected with this.

The second section declares that "Any Sheriff, judge of probate
or justice of the peace now in commission or to be appointed
by the Governor previous to the first Monday in June next, who
shall perform any official act after the time limited by the laws
of the Territory for the expiration of his term of service, shall be
liable to the party injured therby in treble damages, and shall
be subject to a fine of fifty dollars for every such act."

If this provision be necessary or proper I do not perceive
why it should not have been extended to the Sheriffs, judges of
Probate, and justices ~~of the peace~~ who may be elected hereafter,
and to every other officer.

The validity of the provision of the act to provide for the election
of Sheriffs, judges of probate and justices of the peace, by which they
in office are to be removed on the first Monday in June next it is
supposed will be contested by some of the incumbents; and the
effect of this section is to make it a penal offence for them to assert
their right. I do not think this is the proper — certainly it is
not the usual — mode of trying the right of an office; and as
no such provision exists in regard to other offices of the Territory,
it does not appear to me to be either necessary or correct.

A particular class of officers, without any apparent reason
for their being thus distinguished, other than the doubtful
character of the authority under which exercised by the legislature,

are thus declared guilty of an offence for doing what is not declared to be an offence in other offices.

The question, whether the act, passed by Congress at it's late session, by granting the power to provide for the appointment of these officers hereafter, thereby gave the power to remove those then in office and then created vacancies, must now be considered, when it is proposed by the Assembly to regard them as criminals if they do not quietly submit to it's construction of the act of Congress.

When the Election Law was before me I did not refuse to sign it, because great anxiety was manifested by the members of the Assembly for it's speedy passage, and the inconveniencies which it contained involved only the civil rights of the officers, which could readily be determined by the proper Court.

The act of Congress says, that "after a law shall have been passed by the Legislative Assembly for that purpose, all elections or appointments of the above named officers thereafter to be had or made will be in pursuance of such law."

There is no allusion made in the act to the limitation or change of the laws for which those officers were respectively appointed, nor the power to create vacancies; and we have no information that this was a question before Congress for it's consideration.

I know of but two methods by which these officers could be removed. The first is, by repealing the laws under and by virtue of which they were appointed and commissioned. There is no such provision in the Election Law. The second is, by the Governor alone, in his Executive Capacity. This power he has not exercised.

The provision in the organic act, that the Governor "shall commission all officers who shall be appointed to office under the laws of the Territory," and that "Vacancies occurring in the recess of the Council shall be filled by appointment from the Governor," do not appear to have been noticed in either of those Bills.

J. D. Doty

Wisconsin
Executive Department
Madison April. 13, 1843.

April. 16

" 17. To the House of Representatives

I have this day approved and signed a bill entitled "An Act to provide for laying out the Second Territorial Road therein mentioned;" and a bill entitled "An Act to provide for completing a certain part upon the Capitol and for other purposes," which are deposited in the office of the Secretary of the Territory.

J. D. Doty

Wisconsin
Executive Department
Madison April. 17. 1843.

April 17. To the Legislative Council.
290

The bill entitled "An act to provide for the payment of the expenses of the Legislative Assembly," which originated in the Council and was received by me this morning, I return herewith unsigned; and respectfully state the following objections thereto.

The 11th. No. of the act of Congress of the 18th. of May 1842 provides "That the Legislative Assembly shall hereafter, in any instance, under any pretext whatever, exceed the amount appropriated by Congress for biennial expenses.

The appropriation by Congress for those expenses for the half year beginning the 1st of January and ending the 30th of June 1843. is Nineteen thousand, two hundred and seventy five dollars.

The amount appropriated by this Bill is $10697; and the pay and mileage of the members is $8633,36; amount in all to the sum of Nineteen thousand, three hundred and seventy dollars and twenty seven cents.

The items for expenses previous to the first of January amount to six thousand and seventy one dollars and thirty five cents.

These appear to me to be palpable violations of the above act of Congress.

There are many items in the Bill for which no estimate was made by the Secretary of the Treasury; and also many others which exceed those estimates. Of these I have time only to notice that they amount to more than six thousand dollars.

The estimate for printing for the House, Council and Executive Department was three thousand dollars; and this bill gives for printing (and for newspapers, for which there was no estimate) five thousand, two hundred and five dollars and fifty six cents. I object to this too, that it does not contain the proper or usual sum for printing for the Executive Department; and it allows a greater price for printing than that for which other printers offer to perform the work. We are required by law, I think, to have the printing done in the cheapest and best manner; and I can discover no justification for rejecting responsible bids, and giving twice the amount for which it could have been executed.

The following items are for the illegal sessions held in December and January last; and it must be fully known to every one that the application to Congress to allow pay for those sessions was not granted. They are,

"To Albert G. Ellis, as Speaker, the sum of forty two dollars for
"the session of December 1842 and January 1843. No. Days 14.
"Along for services as President of the Council Eighty four dollars.
"To Morgan C. Martin for services as President of the Council

"Eighty four dollars".

The act of Congress of the 29th of August 1842 provides, that "No payment shall be made or allowed, unless the Secretary of the Treasury shall have estimated therefor, and the object been approved by Congress".

"In the adjustment of said accounts, [of the Secretary of the Territory] ... no charge for the services of a greater number of officers and attendants shall be allowed than for one Secretary and assistant Secretary, or Clerk, one Sergeant at arms, or doorkeeper, one messenger, and one fireman for each house of the Legislature."

All of these provisions are violated by the provisions of this bill; and believing that the officers of the Treasury must and will reject them, I cannot but regard them as an addition of this amount to the Public Debt of the Territory created by charges of a similar character in former years.

Wisconsin
Executive Department
Madison April 17. 1843.

J. D. Doty

1843 Appointments by His Excellency James D. Doty, Governor of the Wisconsin Territory.

Heman Baldwin } Justice of the Peace } Crawford County
24 Martinus M Jackson } Master in Chancery } Iowa County
24 A Mathison } Dep. Sec. Com. Commissioners } Milwaukee
May 15 James H Lockwood } Dep. Sec. Com. Commissioners } Crawford & Iowa Co.
Alex. L Collins } District Attorney } Dane County
William Baldwin } Auctioneer } Iowa County
Marcus Warren } Do. } Do Do
Geo E Gaines } Notary Public } Milwaukee
to Jeremiah B Lander } Do. } Do
Azariel Finch } Do } Do
John Walker } Do } Do
Josiah Bond } Do } Racine
Daniel R Rumbale } Dep. Sec. Com. Commissioners } Rock Co.
27 Daniel J. Raymond } Do Do } St Croix
June 1 Stephen R Bolton } Dep. Sec. Com. Commissioners } Brown Co.
Julius J. Clark } Notary Public } Dane Co.
John A Bingham } Dep. Sec. Com. Commissioners } Green Co.
Peter Turck } Notary Public } Washington Co.

To
May 11 1843 The commission of Edward Eldridge as Colonel of the 6th Regiment of Wisconsin Militia is revoked.

Madison
May 11 1843

J. D. Doty

July
292 B

July 1843

Geo Ihorie Wallace } Notary Public } Brown Co Wis
John Bannister } Do Do Do } Fon du Lac
John P Jamieson } Auctioneer } Iowa County
Leonard P Crary } Notary Public } Milwaukee

James Duane Doty Governor of the Territory of Wisconsin to all to whom These presents shall come Greeting

Whereas at a session of the District Court for the County of Milwaukee held at Milwaukee in said County on the Second Monday in June in the year of our Lord one Thousand eight hundred and forty three Lewis Dill was convicted of the crime of Arson

And Whereas an unconditional pardon is solicited in behalf of the said Lewis Dill for reasons which are fully stated the petitioners and also for that the said Lewis Dill is deserving of the clemency of the Governor of this Territory

Now therefore know ye: That in consideration of the premises I have pardoned remitted and released and by these presents do pardon remit and release the said Lewis Dill of and for the offence whereof in the said court he stands convicted as aforesaid, and of and from all sentences judgments and executions thereon (except for the payment of the costs of the said prosecution) hereby restoring to him all the rights and privileges of citizenship forfeited by him in consequence of the said offence or of the said conviction

In testimony whereof I have caused these Letters to be made Patent and the Great Seal of the Territory to be affixed

Done at Madison the ninth day of July in the year of our Lord one Thousand eight hundred and forty three

(Signed)

By the Governor

(Signed) A P Field

I D Doty

Secretary of Wisconsin

Aug

Sidney T Blanchard } Auditor } of Territory
John H Tweed } Notary Public } Milwaukee
Julius L Clark } Dep. Bonst Com. } Fort Crawford

Sept 1843

18 Daniel Pt Whitney } Coroners } Browning } County
25 Darwin Clark } Public Administrator } Dane

28 Frederick Borcherodt } Justices of the Peace } Manitowoc
18 A. D. Smith } Notary Public } Milwaukee

October 1843

Alexander Botkin } Auditor } Iowa County

November 1843

6 Hilton B Cushing } Notary Public } Milwaukee

December 1843

Message delivered by James D Doty
Governor of the Territory of Wisconsin to the Legislative Assembly at their session commencing on Monday December the fourth 1843

Gentlemen of the Council
And of the House of Representatives

We have met for the purpose of determining whether any additional provisions of law are required by the inhabitants of this Territory to secure to them the enjoyment of either their civil or political rights, or to promote their welfare, which we, exercising only the limited powers delegated to the Legislative branch of this Government by Congress, can enact. There are doubtless many individual cases in which relief may be granted from the effects of previous erroneous or inadequate legislation; but in my opinion the people only in the exercise of their sovereign power as an independent state, can correct the evils which appear to be incidental to this colonial form of government, in its Judicial Legislative and Executive Departments

The appropriation by Congress for the fiscal year of 1844 founded upon the estimates of the Secretary of the Treasury of the amount required to defray the expenses of the Assembly will not, according to the acts of Congress allow a session to be held the usual term of seventy-five days.

So far as I have learned the opinions & wishes of the people they are decidedly in favor of short sessions than have heretofore been held: for it is generally believed that they have been prolonged without any apparent benefit to the Territory

There are my own opinions also, and therefore you will allow me to express the hope that your present session may be as short as the public interest will permit

Your earliest attention, it is presumed will be given to the subject of the indebtedness of the Territory for legislative and other expenses here to fore incurred. The amount & pay &c to be ascertained and provisions made for its payment, it should have been created on the faith of the Territory. The people ought to be informed of their character and extent, but the opportunity should no longer be given to the public creditors to say that Congress will not pay her debts

Accession of the Oddities, and especially of those establishing the system of Taxation, reducing the number and the amount of the Taxes would be more useful and in my judgement more acceptable to the people than the passage of angry new laws

The complaint continues to be justly made that the country is burthened with numerous laws and heavy Taxation, A code of laws with but few provisions and those plainly drawn, and seldom changed is the best evidence of a good government But when the laws are uncertain, incongruous and inappropriate or written with many words and vague sentences, or when they contain numerous and conflicting provisions on the same subject. a weak, ignorant or corrupt Judge may destroy the rights of the citizens by his interpretation and administration of them

And when in addition the limitations and restrictions imposed by the acts of Congress are wholly disregarded there can be no longer any security for personal liberty, or, as we have seen to the right of property, neither have the people any protection against increased Taxation or an accumulation of the Public Debt

The experience of previous years forbids the hope that such evils can be remedied under the present form of government,

For this reason and believing as I do that the happiness of the people and the prosperity of the Country will be advanced by the adoption of a State government I respectfully recommend the passage of a law appointing a day for the free inhabitants of this district to vote upon the question whether a permanent government shall be formed according to the Articles of Compact of 1787.

And I would recommend that a day be selected on which no other election is to be held, that the local or political parties by which the elections are usually controlled

There are now 11 admitted by every person acquainted with our settlements, more than sixty thousand inhabitants within the limits of this Territory, or within the limits fixed by the ordinance and subsequent acts of Congress for the fifth State in the North Western Territory then is calculated to be over one hundred and twenty thousand.

If there shall be a majority in favour of state government I propose that a law be passed requiring the governor to make that fact known by proclamation and authorizing the sheriffs for the several counties within this district thereupon to cause an enumeration of the inhabitants to be made and returned to the Legislature at its next session

The security and other advantages to be obtained by the people by a change of government have been so fully presented by me to the Assembly that I shall not trouble you again with their repetition As arguments in its favor they have daily increased in strength and importance, and they remain unanswered

The Ordinance of 1787 grants to the people the right to immediate authority certain districts, and to Congress the right to admit such States into the Union

The constitutions of the states of Tennessee and Michigan were formed under this provision the right cannot therefore now be questioned The North western states were created by the ordinance and by the people and not by the acts of admission

The course pursued by the citizens of Tennessee is entitled to great weight as it was known and approved by the Ordinance and the constitution of the United States and the intention of the provisions for the formation of New States could not have been unknown or misunderstood either by the citizens of Tennessee or the public mind of the United States at the time when it was framed at the head of the government and it may be useful for us to advert to some facts in the history of that State

The Territory of Tennessee was ceded by North Carolina to the United States in February 1790 The act of cession provided that the territory should be laid out into a State or States containing a sufficient extent, the inhabitants of which should enjoy all the privileges benefits and advantages set forth in the ordinance for the government of the North western Territory Under this authority Congress established a government for the Territory of Tennessee for temporary purposes and extended to her the provisions of the ordinance

In 1794 her legislature ordered a census of the inhabitants of the entire territory to be taken a majority of the people having voted in favor of a state government It appearing by the census that her population amounted to sixty six thousand two hundred and sixty two persons (excluding slaves) a convention was called and in February 1796 a constitution formed for the State like this was done without the interference of Congress or any application to decide the territory or to permit a state government to be formed for the whole

In April of the same year, Tennessee by her convention and Representatives (which was likewise having been elected for a representative) presented themselves with the new constitution in their hands and demanded her admission by them as her delegates into the Congress of the United States, as a sovereign and independent State, Gen Washington in his message to Congress on the subject, observed that attaining the advantages secured to the inhabitants of Tennessee by the ordinance of 1787 was "the right of forming a permanent constitution and State Government and of admission as a state, by its delegates into the Congress of the United States on an equal footing with the original States, in all respects whatsoever when it shall have sixty thousand free inhabitants therein; provided the constitution and government so formed shall be republican and in conformity to the principles contained in the ordinance.

In pursuance of this recommendation Tennessee with her constitution thus formed, was admitted into the Union on the 1st of June 1796 within four Month after the change of government was concluded

Michigan adopted the same course as Tennessee and asserted it as her "right and privilege under the ordinance and the act of Congress of 1805 It was granted to her although the authority had been reserved to Congress (as in the case of Tennessee (to form one or two states out of the territory thus subject to her territorial government

I submit a copy of the act passed by the territorial Legislature of Michigan on the 26th of December 1834 to enable the people of that territory to form a constitution and state government, The preamble fully covers the right; and the act apportions delegates for that part of the territory lying north of a line drawn due east from the southerly extreme of Lake Michigan which had been embraced within the limits of the State of Indiana on her admission in the year 1816

She was admitted into the union with the constitution she had established, by an act of Congress passed on the 15th of June 1836 the second section of which provides "that the constitution and state government which the people of Michigan have formed for themselves be and the same is hereby accepted, ratified and confirmed; and that the said state of Michigan shall be, and is hereby declared to be one of the United States of America and is hereby admitted in to the Union upon an equal footing with the original states in all respects whatever,"

This section also declares, that "this admission is upon the express condition that the said State shall consist of and have jurisdiction over all the territory included within the following boundaries and non otherwise," By these two boundaries thus proposed by Congress the country claimed by Ohio and Indiana is given to those States, and in lieu there of a district lying between Lake Superior and Lake Michigan and west of a line dividing the United States and Canada—which was the line established by the act of Congress of 1805 and by the people of Michigan in their constitution as the western boundary of the State was declared to be within the boundaries and jurisdiction of the State of Michigan. The people inhabiting the portion thus annexed neither participated in the formation of the constitution nor voted for the change; and it may well be doubted whether Congress did not exceed its powers by this act enlarging the boundaries of Michigan and establishing a state government for these people.

But the act of admission establishes the right of the inhabitants to form a government for themselves and to designate the boundaries of the State In relation to the right of a state to enter the Union with a contested boundary there were several instances of unsettled boundaries between the thirteen original States when they joined the Union some of which are yet undetermined and it is not perceived why a new State has not the privilege to adjust her boundaries or have them settled in the same manner as an old State

It may be taken for granted therefore, from the examples of those States, as well as that of Michigan that this State has the right to be admitted although her boundaries may be contested by other States. A State out of the union has as good a right to her established boundaries as a State in it, the form of government to which she may at any period of her existence be subject neither increases nor diminishes the right It cannot be conceded that the right to admit can control the right to form a constitution for the State to require that the constitution is republican in its conformity

to the principles contained in the Articles of Compact,
The 11th section of the act to establish the territorial government of Wisconsin declares "that the inhabitants of the territory shall enjoy the rights privileges and advantages granted and secured to the people of the territory north west of the Ohio by the articles of compact contained in the Ordinance of 1787
It provides that "the same inhabitants shall also be entitled to all the rights privileges and immunities heretofore granted and secured to the territory of Michigan and to its inhabitants"
The fifth article of the compact declares that whenever any of the said states shall have sixty thousand inhabitants therein, such state shall be admitted by its delegates into the Congress of the United States on an equal footing with the original states in all respects whatsoever, and shall be at liberty to form a permanent constitution and state government"
The right of the citizens of Wisconsin to form a government for themselves being clearly established by these provisions and by the precedents of Tennessee and Michigan I respectfully beg leave to submit to your consideration the subject of the boundaries of the country whose inhabitants possess the right to vote upon the question of forming a constitution
The fifth article of compact laid all the North Western Territory into three states and bounded them on the South by the Ohio river and on the north by the territorial line between the United States and Canada. It provided however "that the boundaries of these three states shall be subject so far to be altered, that if Congress shall hereafter find it expedient they shall have authority to form one or two states in that part of said territory which lies north of an east and west line drawn through the southerly or extreme bend of Lake Michigan. In the execution of this power Congress has wholly disregarded the limitation imposed upon its authority. These boundaries were subject to be altered only for a single object to wit; to form one or two states north of a certain east and west line. The first part of this article declares There shall be formed in the said Territory not less than three nor more than five states, and the boundaries of the states so soon as Virginia shall alter her act of cession and consent to the same shall become fixed and established as follows. &c Virginia gave her consent The east and west line drawn through the southerly bend or extreme of Lake Michigan became therefore an established boundary line equally with the other lines therein described if Congress formed

it expedient to form more than three states.
On the admission of Ohio the question was determined
that there should be more than three states formed,
and having now actually admitted four into
the union the remaining territory which lies
north of an east and west line drawn through
the southerly bend or extreme of Lake Michigan
according to the terms of the ordinance must
compose the fifth
In the year 1818 an act was passed by Congress
to enable the people of the Illinois Territory to
form a constitution. She had not sixty thousand
inhabitants and therefore applied to Congress
to grant her permission, authority having been
given to Congress to admit a state with a
less number
It is conceded in this act that Congress and the
people of Illinois undertook to make an alteration of
her boundaries not contemplated by the ordinance
when they gave that state the line of latitude of
forty two degrees and thirty minutes for her north
ern boundary instead of the western line from
the extremity of the Lake. In the 2d section of the
act a description of the boundary as now claimed
by Illinois followed by this proviso. That the
convention when formed shall ratify the bou
ndaries aforesaid otherwise they shall be and
remain as now prescribed by the ordinance for
the government of the Territory northwest of the
river Ohio And in the 4th section there is also a
proviso that the Constitution when formed
shall be republican & not repugnant to the
ordinance of the 13th of July 1787 & excepting so
much of said articles as relate to the States
therein to be formed: which is clearly an
admission that the alteration of the boundar-
ies was repugnant to the ordinance
Was this the alteration which Congress was
authorized to make; If it was why did she
ask Illinois to ratify her act The articles of com-
pact may undoubtedly be changed by com
mon consent: and it is true that Congress
and Illinois have given their consent to the
alteration but the fifth state whose rights
are the same upon this question as those of Ill-
inois has not consented and could not
consent to any change of those articles in t
il she has obtained her sovereignty and i
ndependence

Here Mr Cowan it gives me pleasure to assure you are sustained by the resolutions of the Legislature of this Territory. I avail myself of this occasion to quote the following sentences from the Preamble to the Resolutions relating to the Southern boundary and the admission of Wisconsin into the Union as a State which were approved by Governor Dodge on the 13th of January 1840.

Whereas the Southern boundary of this Territory and of the State to be formed therein is fixed and established by the ordinance of July 13th 1787 on a line running due west from the Southerly bend or extreme of Lake Michigan to the Mississippi river

And whereas although said ordinance is declared to be forever unalterable unless by common consent, a large and valuable tract of country is now held by the State of Illinois contrary to the manifest right and consent of the people of this Territory &c.

The resolutions following this preamble requests that on a certain day the inhabitants of the Territory do vote for or against the formation of a State Government including all that district of country north of the line above mentioned, and invite the inhabitants in that part of the district claimed by Illinois to express there sentiments in relation to its formation and in the event of an election being ordered by the Governor to choose delegates to the State Convention

The committee to whom this subject had been referred in their report say that it has been declared as the opinion of a former Legislative Assembly of this Territory that all that district of country lying between the Northern boundary line of the State of Illinois and a line drawn west from the Southern extreme of Lake Michigan to the Mississippi river rightly belongs to the Territory of Wisconsin This opinion with the arguments and reasons in support of it have been spread before Congress

To recede now from the grounds at that time taken, or to relinquish in any manner the just rights of the Territory to the jurisdiction of that district in the opinion of your Committee would be to disappoint the hopes and defeat the most cherished desires and wishes of both the inhabitants of that district and the people of the Territory

Concurring as I do in the opinion thus expressed as to former sessions of the Legislature, and which I presume are still entertained by those gentlemen who were then members it will be only necessary for me to advert at this time to some of the authorities upon which my opinions are founded.

I observe that an east and west line drawn through the northerly bend or extreme of Lake Michigan is described or adverted to as a boundary by the government of the United States in several instances

First, In the 5th article of compact in the ordinance of 1787. Second The act of Congress of the 30th of April 1802 to enable the people of Ohio to form a State Government

Third. The act of Congress of January 11 1805 to provide a temporary government for Michigan

Fourth An act to authorize the President of the United States to ascertain and designate certain boundaries passed May 20th 1812 which requires a survey of the boundary ~~passed~~ which divides the State of Ohio from the Territory of Michigan and a plat to be made of so much of the line as runs from the northerly extreme of Lake Michigan The war of 1812 prevented the execution of this act but on the 16th of April 1816 an appropriation was made for carrying it in to effect; and the line was run in conformity with the various acts of Congress due east from the northern extreme of Lake Michigan It was not until the year 1818 that the work was completed and the returns made to Congress

Fifth. The act to enable the people of Indiana to form a State government passed April 19th 1816 the provisions of which required the people to ratify the alteration of the ordinance line

~~Sixth The act to enable the people of Indiana to form a State government~~

Sixth The treaty between the U.S. and the Ottawas Chippewas and Pottowatomies concluded August 24th 1816 under treaty this line was run and marked in the year 1818 by Josiah Sullivan: and the monument erected at its termination on the bank of the Mississippi near the head of Rock Isle and was standing but a few years ago.

Seventh An act to provide for the taking of certain ~~boundary~~ observations preparatory to the adjustment of the northern boundary line of the State of Ohio passed July 14 1832 the President is required to

ascertain by observations the point in the Mississippi which is due west from the southerly extreme of Lake Michigan,"

Eighth the official report of Capt Talcott of the U.S. Engineers dated January 17th 1834 He states that from his observations the southern bend of Lake Michigan is in latitude forty one degrees and thirty seven minutes. And that a due west line from this point will intersect the Mississippee river about seven miles north of the fort on Rock Island, He erected Monuments to mark each of these stations

Inviting with the Assembly. Therefore in claiming for the southern boundary of this State a line drawn due west from the southerly head or extreme of Lake Michigan to the Mississippi river because it was fixed and established by the ordinance of 1787 in an article which it is declared shall forever remain unalterable, unless by common consent and because the people of this state have never given their consent to the alteration attempted to be made by Congress and the people of the Territory of Illinois Whether the inhabitants of the district of country, which was placed by Congress under the jurisdiction of Michigan and which lies west of a line drawn from the northern extremity of Lake Michigan have not the right to vote with us for or against the formation of a state government is a question of great importance. and to which I invite your attention. Michigan asserted her claim to this line as her true boundary on several occasions; particularly when she opposed the passage by Congress of the act to establish the territorial government of Huron, and when she defined her own limits as a state, in the acts under which she formed her Constitution Her own arguments and concessions are considered very conclusive upon this point

This subject was presented to the Assembly in my Message of February 16 1842 with the act passed by her Legislature on the 26 of January 1836 In that Message I remarked It is ascertained that part of the Western boundary of the State of Michigan as prescribed by the act of Congress of the 15th of June 1836 is an imperceptible line there being no such natural boundary as is therein described The Lake of the Desert (called Plantation Lake) does not discharge its ~~waters~~ waters into the Montreal river it having therefore become necessary to designate a new line I availed myself of the occasion to present the subject to the notice of the Assembly that such measures as are ~~[illegible]~~ proper may be adopted to

procure the recognition by the government of the U. S. of the boundary which was established between Michigan and Wisconsin in the year 1805.

In the year of 1828 a bill was reported in the House of Representatives of the U. S. to establish the Territorial Government of Huron the Territory was bounded on the South by the State of Illinois and Missouri and eastwardly by a line drawn through Lake Michigan and the Straits of Mackinaw to the southern extremity of Bois Blanc Island in Lake Huron and thence due east across that Lake to the boundary of the U. S. the same bill was again reported (it having failed to pass both Houses of Congress) in 1829, 1830 and 1832 & report was made by the committee with the Bill in the latter year from which I make the following extract

"This committee are of opinion that the limits of the Territory of Michigan as originally separated from that Indian Territory ought upon every fair and just principle to be preserved to its present population so as to enable them to emerge as early as possible into the condition of an independent State of the Union, The committee therefore recommend that in a severance of the present territory of Michigan the eldest and the most populous portion should be left under its original limits and that the integrity of its bounds should be preserved by a line drawn through the lake to its northern extremity and thence by a line drawn due north to the northern boundary of the U. S. and with this division and separation of the new territory from every point of Lake Huron they also propose the adoption also of the name of Wisconsin instead of that of Huron as here to fore contemplated" Governor Cass in a message to the Council on the 5th of January 1831 had presented the consideration of this measure in the following language

"An effort has been made to detach the counties of Michilimackinac and Chippewa from the Peninsular Territory and to annex them to the new government which is asked for west of Lake Michigan Such a measure would be equally injurious to our rights and subversive of our interests The act of Congress of January 11 1805 establishing this Territory defined its boundaries and guaranteed to the inhabitants them many political

rights dear to the ~~American~~ American people, and without them many political rights dear to the American people, and without the enjoyment of which our citizen would never encounter the difficulties and hardships incident to the settlement of a new country, among these not the least important is the right of admission into the Union whenever population shall equal the number prescribed in the Ordinance of Congress of July 13 1787 which laid the foundation of the governments of the State and Territories Northwest of the Ohio river & we have any certainty for the political privileges we enjoy or expect to enjoy we have the same security that is the faith of the U. S. for the integrity of the territorial boundaries established by that act. A line drawn through the middle of Lake Michigan to its northern extremity and thence due north to Lake Superior which is our western boundary, leaves the inhabited portions of the counties of Mackinaw and Chippewa in the original Territory of Michigan. To the country west of that line we have no claim"

The same view was taken of this question - and the right of Michigan to this north and south line again ascertained in a memorial of the Legislative Council to Congress which was adopted with but one dissenting vote (and that was given by the member from this district) on the 2nd of January 1833

It is deemed unnecessary to pursue this subject farther, It will be seen from you that can be seen but a careful examination and consideration equally with those which duty has compelled me to suggest I believe you will concur with me in the opinion that it was not the intention of the Districts who framed the Ordinance that this Territory should at any period of its political existence be parcelled out among the neighbouring States nor that a true hearted American will ever refuse to claim his birthright or to secure for himself and his posterity the enjoyment of constitutional Liberty

Madison

I D Doty

Wisconsin

December 4th

1843

July 9 1843

James Duane Doty
Governor of the Territory of Wisconsin
To all to whom these presents shall come Greeting
Whereas at a Session of the District Court for the
County of Milwaukee held at Milwaukie in said
County on the second Monday in June in the Year
of our Lord one thousand eight hundred and
forty three Lewis Dill was convicted of the crime
of Arson

And Whereas an unconditional pardon
is solicited in behalf of said Lewis Dill for reasons
which are fully stated by the petitioners and also for
that the said Lewis Dill is deserving of the clemen
cy of the Governor of this Territory.

Now Therefore know ye that in consideration of
the premises I have pardoned remitted and released
and by these presents do pardon remit and release
the said Lewis Dill of and from the offence whereof
in the said Court he stands convicted as aforesaid
and of and from all sentences judgments and execu
tions thereon (except for the payment of the costs of
the said prosecution) hereby restoring to him all
the rights and privileges of citizenship forfeited
by him in consequence of the said offence or of the
said conviction

In testimony whereof I have caused
these Letters to be made Patent and the Great Seal
of the Territory to be affixed
done at Madison the [illegible] day of July in the
year of our Lord one thousand eight hundred
and forty three

(signed) L D Doty

By the Governor

(signed) A P Field
Secretary
of Wis Ty

December 11 1843 Appointments by
The Governor

Harrison Reed Notary Public for
Winnebago County

To the Legislative Assembly Mr Alfred Brunson has transmitted
to me a description of the northern part of this Territory with a request
that I will submit it to the Assembly in the hope that it may
be useful in the location of roads through that country as will be
his request and have no doubt that his objections if communicated to the
Public would be highly beneficial to the Territory L D Doty

Executive Department Madison December 15 1843

Message of Gov Doty

To the Legislative Council.
The bill entitled "An act extending the time for the redemption of certain Lands in this Territory on the Canal grant" returned to the Council with the following objections—
The provisions of this bill are intended to extend the time for the redemption of those lands part of the "Canal Grant" which were mortgaged to the Territory for the purchase money and which were sold for delinquent taxes by the authorities of the counties of Milwaukee and Jefferson in the years of 1841 and 1842
The questions are therefore raised in the consideration of this bill whether those Lands were lawfully assessed and lawfully sold for taxes for if they were not it ought not to become a law as it would be an indirect recognition by the Territory of their validity
It is proper to inquire whether these Lands were originally disposed of by the Legislature according to the Act of Congress granting them to Wisconsin and if they were whether those sold upon a credit became subject to the system of taxation until the sums for which they were pledged by mortgage to the Territory were actually and fully paid
The first question it will be necessary for me to consider now and am satisfied from the examination I have given to the same and that the bill ought not to pass
The general principle can not be doubted that Lands sold by this or any other Government which have been granted to such government for a particular use cannot be made liable to taxation until the sum for which they have been sold has been paid by the purchaser and the title actually passed to him from the government
It may also be assumed that Lands sold upon credit by the government are not subject to the payment of taxes until they are paid for and the title has passed by patent to the purchaser
The public Lands sold by the United States under the Credit System were not regarded as taxable property by the Attorney General William H Bartholomew

and by Mr Meigs the Commissioner of the Gen
eral Land Office as appears by their opinions
Copies of which I herewith respectfully pre
sent as a part of this communication
These Lands were not granted to the Territo
ry for the general purposes of its government
but for particular objects all of the laws
thereof which have been passed by the
Legislature in relation to their disposal
and all deeds patents contracts or other
instruments of writing which have been
executed for their sale or conveyance
must be taken in subordination to the te
rms of the grant and to the object desig
nated No Territorial law can be interpos
ed to defeat the provisions of the act of
Congress
If they can be sold for taxes before they are
patented too, it is very certain that they cannot
thereafter be applied to the use for which
they were granted, and it is equally clear clear
that by such a sale they are applied
not to a construction of a canal but
to the support of the Government of the
Territory and of the county of Milwaukee
and Jefferson
The act of Congress declares that "the
said Lands so granted to aid in the
construction of said canal shall be
subject to the disposal of the Legislature
of the said Territory for the purposes afore
said and no other;
The second section of that act provides
that the Governor of the Territory or
such other person or persons as shall be
appointed for the purpose under the auth
ority of the Legislature of the said Territory
shall have power to sell or convey any
part of said land at a price not less
than two dollars and fifty cents the
acre
The sixth section declares "That the
said state of Wisconsin shall be held
responsible to the U. S. and for the pay
ment into the Treasury thereof of the amount
of all monies received upon the sale
of the whole or any part of said land at
the price at which the same shall
be sold not less than two dollars and

cents per acre if the main canal shall not be commenced within three years and completed in ten years pursuant to the provisions of the act creating said canal corporation

In these provisions we see all the authority which has been given to the Legislature to dispose of these lands and we also see the security responsibility which is thrown upon the people of Wisconsin if they are sold and the canal is not completed within ten years from the date of the grant that is — by the 18th day of June 1848

It is stated in the report of these Messrs Brooker and Tweedy that the whole number of acres granted by Congress to aid in the construction of the Milwaukee and Rock River Canal amounts to 139,190 acres of these 43,467 have been sold leaving 95,723 acres subject to the future action of the Legislature.

They state these sales were made to actual settlers who proved to their satisfaction that they occupied and improved them

If this was true the sale of the 4/ of the land for taxes must be one for the personal property of the occupant of any tract of land must according to the laws be taken to pay any tax assessed upon the land occupied by him it is not to be imagined that those settlers have had no personal property during the years 1840 1841 1842 and 1843

The report of these gentlemen also states "That the lands were bid of at the minimum price of $2.50 per acre

The total value (of the acres sold) at $2.50 per acre — $108,617-75-

Ten per cents required to be down at the time of sale $10.861.77

Total amount of receipts — $12377.27

These sums shows the great interest which the public has in the questions involved in this bill and would trust justify one in asking of you a reconsideration of its provisions

If the quantity of land stated by the Board was actually sold to the citizens and unless it was it could not be taxed, and upon the issuance of the patents by Gov Dodge it became their property why has the Legislature and those purchasers urged upon

the right
Congress to take back the grant; If the title
has passed from U. S. to the Territory and from
the Territory to the purchasers it is impossible
for Congress to resume it; it is you and the
State of Wisconsin must pay for it unto the
treasury of the U. S. the sum of one hundred
and eight ~~--~~ thousand ~~dollars~~ six
hundred and seventeen dollars
Now if the Mortgages which were executed
to the Territory were not an indefeasable
lean upon the Land or if by the operation of the ~~law~~ tax laws they became
mere personal securities this endorsers sum
must be paid by Wisconsin when the sum
of twelve thousand and seventy seven dollars
is the whole amount which has been rec-
eived by the Territory and when she owns nei-
ther an acre of the land nor a foot of the canal
I must object to any bill which can possibly
be construed to sanction a conclusion so
important and so unjust
I will now refer to the law of the Legislature
of the 20th of February 1839 for the purpose of ascer-
taining whether these mortgages were protected
by the law against the operation of any
other by which the right of the Territory to
hold the land until full payment was made
could be defeated
I have examined this law attentively and do not
discover any provision to justify the proposition
that the land belonged to the purchaser be-
fore it was paid for by him or that the mortgages
were received in full payment of the consideration
The 10th and 11th sections of which are conclusive
that the mortgages ~~were~~ a ~~lean~~ upon the land
until they are paid
The 10th section provides that the Gov~~ernor~~
shall make out and deliver patents to purcha-
sers of any lands which shall be sold agreeably
to the provisions of this act upon receiving
the duplicates and returns of the Receivers and
Registers after the close of each sale: Provided
however that no delivery of any patent shall
be made to any purchaser of said lands
until said purchaser shall have paid for
the same: or made and executed
and deposited with the Register such secur-
ities as are hereinafter provided for the
payment of any sums which may

due for the purchase money of any of said lands and the said Register shall record all Patents executed by the Governor and immediately following the record of said patent he shall record the Mortgage given by said purchaser as a collateral security for the payment of the purchase money for said lands which record shall be the only public notice required of the existence of the lien held by the Territory and said lien shall have preference over any other which may be granted on said land &

And in the 11th section it is provided that in default of the payment of either principle or interest at the ~~same~~ time when the same shall be due it shall be the duty of the Register to give public notice of such delinquency and it shall thereupon be the duty of the Register and Receiver to expose to public sale the tracts of land on which such delinquency shall have accrued and sell the same to the highest bidder

The rights of the Territory as a Mortgagee are very clearly settled by the terms of this law. If they work not however and the Territory shall be regarded as having the right to only of a citizen the legal ownership of the lands to by the Mortgagee having only an equitable interest

Now the patents which were issued were drawn, is to me unknown; but it is quite certain that the statute does not declare what they shall contain or what estate they shall pass. They can not therefore whatever may be their terms limit defeat or annul the provisions of this act, nor pass a title free from the lien; and unless the Register and Receiver are otherwise directed by a subsequent law when the sum due on a Mortgage is not paid at the time specified they must proceed to sell the land again at not less than $2.50 the acre the notion appears to me to be absurd that while the Territory is, by the terms of this law waiting for its pay the land can be sold for taxes or any other purpose in violation of the plain provisions that it shall be held and sold if necessary to pay the purchase money

This construction is objectionable for
no other reason: it ~~prohibits~~ the Legislature
to do indirectly, that which it is forbidden
to do directly, the Legislature has no pow
-er to sell this land for less than $2.50
per acre or for any other object than
to make a canal.
But what ever difference of opinion there
may be as to the effect of the laws of the
Territory - we as the Legislature have one
duty to perform which cannot be mistak
-en: and that is to see that the title to this
land is not conveyed until the purchase
money is paid It can not be imagined
that the Legislature was so negligent of
the rights of the public in 1839 as to place
all lands subject to the tax laws which
had been conveyed to the Territory for its
own benefit, as its trustee for other parties
The idea of the Territory taking its own lands
and forfeiting them if it does not
pay the taxes is a novel one peculiar - it
is hoped to the times in which it originated
A second ground of objection I have to
this bill is that if these lands were bought
by trade and sold it changes and impair
-s the contract made with the persons
who became the purchasers at the tax sale
They were put up at auction and sold
for the taxes which had been assessed
on them in the years of 1841 and 1842
The sums for which they were sold were
paid by the purchasers and certificates
were given them unless they were redeem
-ed within two years from the day of
sale the holders of the certificates should
be entitled to receive deeds for the tra-
-cts of land therein described
Can this Government change the terms of a sale
after the sale is made or can it change the promis
-es contained in the law and in certificates long
after the certificates have been issued
and it has received the money therefor from
the holder I understand this to be a private
Contract and an engagement within the 10th
terms of the 2nd Article of Compact It is pro
-vided in that article as follows to wit
"And in the just preservation of rights
and property, it is understood and declared

—lared that no law ought ever to be made or have force in this Territory that shall in any manner whatever interfere with or affect private contracts or engagements bona fide and without fraud previously formed

The Constitution of the U.S. also provides that no "law impairing the obligation of Contracts shall be passed." I respectfully submit to the Council whether this bill is not a violation of these provisions

—visions

Executive Department
Madison December 11 1843

I L° Dodge

To the Legislative Council

The bill entitled "An act to amend the "act to provide for the election of sheriffs Judges and justices of the peace: and for other purposes" is herewith returned

My objections to this bill are 1st The powers and duties of the Supreme Court are by said devolved upon the Judges of Probate; who are incapable by law of receiving them

The probate courts are recognized by the 9th section of the Act of Congress establishing the Territorial Government of Wisconsin as are also the Supreme and District Courts; but they are named as District Tribunals.

It is not, in my view, competent for the Legislature to confer upon the Judges of the Probate courts other powers than are usually exercised by said courts. It cannot transfer to them, as to the district or Justices courts the jurisdiction or powers of the Supreme Court or of its Judges

The authority given to a Supreme Court Commissioner by law has no relation to that of Probate courts. He is required to perform all the duties, and to execute every act, power and trust which a Judge of the Supreme Court or district

Court to may perform and execute out of Court
The duties of the judges of the Court are
appropriate and distinct, and the Legislature
does not the power to transcelate a Judge
of Probate from his own court to the bench
of the Supreme Court
If the effect of the provisions of this bill
would be to appoint an officer as particular
persons to an office & object to it for this
reason being also in violation of the act
of Congress
2 Judges of probate are elected only
in the counties organized for judicial
purposes; The number therefore is extremely
limited. Many of the Counties and settlements
are remote from the place of residence of the
district and probate judges in the judicial
districts and it is as well known to the members
of the Assembly as to myself that the Judge
of the second judicial district is so seldom
in the Territory that it has been doubted by
some persons whether he has at any one time
during the last seven years been long enough
in the district to acquire a residence and
whether he has not forfeited his office by
non user or neglect of its duties
If he obeyed the law and remained where
his official duties are required to be performed
there would be no necessity to make
provision for another to perform his duties
It is stated by one of the highest legal
authorities, that "neglect in public officers
that concerns the administration of justice
or the Commonwealth is a direct and immediate cause of forfeiture"
Indeed, therefore of passing a law to impose
the duties of this judge upon another
officer, the proper remedy for the evil
would in my judgement be an application by the Assembly to the Governor
to fill the vacancy occasioned by the
absence and neglect of duty of the late
incumbent
3d To abolish the office of Supreme Court
Commissioner. and transfer his duties
to the Judges of Probate if it could lawfully be done would be a reason in the
present circumstances of the Country great
inconvenience to the people with[illegible]

any corresponding benefit

Executive Department J. D. Doty

Madison January 8th 1843

To the Legislative Council

The bill entitled "an act to provide for the election of a printer to the Legislative Assembly" I return herewith without my signature

The title of this bill does not appear to correspond with its provisions. A mistake it is supposed has occurred by omitting the clause which would have made the officer exclusively an officer of the Assembly. The duties enjoined upon him so far as they are disclosed are entirely of a temporal character commencing at the close of the duties of the Assembly and he should therefore have been styled the printer of the Territory as he is styled in the act of Congress of Aug 29 1842 I object to this bill because it confers upon the Council and House of Representatives the power to appoint a civil officer and to this I object as a violation of the act of Congress which expressly gives this power to the Governor and Council. I also object to it because it does not fix the compensation which the officer is to receive for his services. It proves that the duties and compensation of the printer shall be such as may from time to time be prescribed by law.

I do not perceive the utility of providing for the appointment of an officer before the office in fact exists for without duties and compensation there is no office. This is too indefinite for the security both of the government and the printer.

The experience of former years should satisfy us of the necessity of settling these questions before the printer is appointed when it is known that under an indefinite arrangement the printing for one session cost about twelve thousand dollars seven thousand of which now composes a part of the indebtedness of the Territory. This

Duly having been taken from the objects
to which it was appropriated and applied
to this purpose
It appears by examining the sessional acts
of appropriation that nearly one half of the
sum required for the annual expenses of the
Assembly has been paid for printing com-
mencing with the session of 1839 & includ-
ing the sessions of 1843 & there has been
appropriated the sum of forty eight thousand
four hundred and eight eight dollars
and fifty eight cents for this object as
will appear by document herewith submitted
The magnitude of these appropriations and the
character of the services to be rendered require
that they should be regulated by a positive
enactment of law
Also object to the bill that it is a grant
of a monopoly of the public printing to a par-
ticular press to the injury of all others
It excludes competition and deprives the
presses of equal rights and advantages
It would in its operation tend to impair the
freedom of the press by concentrating the
public patronage wholly upon one and
thus ruining others by depriving them of
support and withholding from them every
benefit and advantage to be derived
from the appropriations by Congress
which are designed not for political
or partizan purposes but for the
good of the whole Territory

L. Doty

Executive
Department
Madison
January 12
1844

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To the House of Representatives
By the last mail I received a commu-
nication, in relation to the boundaries
of the State of Wisconsin in behalf of the
inhabitants of that part of the district of the
north western states now under the jurisdiction
of the State of Illinois claiming to be an integral
part of the State to be formed west of Lake
Michigan and asking that provision may
be made for them to participate with the
inhabitants of the Territory of Wisconsin
in the formation of a constitution
As these objects are now before the Congress
I respectfully submit this communication
that the rights and wishes of those inhabitants
as stated by themselves may be known
and considered in connection with those
of the people of this Territory
Placed by an act of Congress under
a foreign jurisdiction, and deprived there
by of the right of representation in this
government it is hoped that their just
rights may be respected by their fellow
citizens of this part of the State in the
formation of a State government These
rights are in my judgement equal
with our own and whatever measure
we may deem expedient to adopt previ-
tory to a change of government will
be extended with reference to the in-
habitants of every part of the country em-
braced within the limits of the 3d with State
established by the ordinance of 1787 and
the acts of Congress of 1805 and 1836
In this way only it is understood can
the inhabitants of those portions where
are situated beyond the limits of the
Territory of Wisconsin obtain a hearing
before Congress and before the Supreme
Court of the United States.

Executive
Department
Madison
January 1/1844

J D Doty

To the House of Representatives

In compliance with the request of a very large number of citizens of Milwaukee I have the honor to present to the Assembly their petition in relation to the indebtedness of the Territory.

They ask 1st That the amount of the debt may be stated 2d The manner in which it has been created 3d The authority for creating it 4th The object to which the avails thereof have been applied and 5th That provision be made for its ultimate liquidation At the commencement of this session I took the liberty to bring these subjects to the notice of the Assembly in the hope that it would receive your early attention: and I take myself of this occasion to respectfully again express the hope that the actual amount of the debt may be ascertained and provision made for its payment before the termination of the session

The people have been assured that the Government of the U. S. pays all of these expenses of this government The holders of bonds and certificates given in the name of the Territory and for the payment of which the faith of the people is pledged have ascertained that this is incorrect

The Auditor and Treasurer have in their report furnished much valuable information in regard to the expenditures of expenditures beyond the amount of appropriations by Congress as also upon the items of indebtedness created by the Territorial Legislature It appears from this report some of the items of which I beg leave to recall to your notice) 1st The excess of appropriations by the Assembly over the sums provided by Congress for the expenses of the government $13,062.54

2d The amounts due on bonds issued and interest — 22,124.56 3d The amount of drafts under act of 19th February 42 issued and authorized 13,065.99

4th Items of Territorial disbursements rejected by the Treasurer & the Public Auditor — 2,308.19

Interest & charges 8,500.43

Amount carried forward, 430.00

Bonds payable by Bank of Grand Rapids 13,124.24

Certificates outstanding company 4,506.46

It appears that the Secretary has become indebted as plaintiff in several law suits the costs and fees in which are, as stated

Attorneys	$2,630.00
Sheriffs, clerks, witnesses and commissioners	1,672.62
New commissioners (not including the charges of Haskell)	2,701.76
Interest on bonds issued for the above sums	594.60
To meet these sums there is stated to be due from sales in arrears of the county treasurers and bonds and warrants cancelled	8,963.39

There are also items of appropriations by the Assembly which are declared by the following provision of the act of Congress of August 29, 1842 to wit "No allowance shall be made for extra compensation to any member of the Legislative Assembly for extra services, except the President, Officers & not for extra compensation to the Secretary of said Territory, nor to the Clerks of either House of said Legislative Assembly for the performance of duties required by law" These items are

1st Extra compensation to members of the Assembly	$3,011.00
3rd Extra compensation to the Secretary of the Territory	3,764.82
2nd Extra compensation Clerks	2,746.00
4th Suspended items in the Secretarys books	1,352.21

These having been paid by the Secretary have now been charged to the territorial Government, with the exception of the suspended items

There is another liability imposed upon the people of this Territory by the act of the Legislature to wit: The amount for which Lands past of the "Canal Grants" have been sold for which payment must be made in 1848 if the canal is not then completed This amount is $108,617.75

The amount of bonds outstanding bearing 5 per cent interest issued on account of Canal fund — $12,000.00

To meet these items of indebtedness we have (or suppose we have) the bonds and mortgages given by the purchasers of the Canal Lands amounting to about — $96,240.48

But of the lands upon which those mortgages were given have been sold for taxes and those tax sales were legal, the amount which the Territory will eventually receive from them must be very uncertain

To defray the immediate liabilities encountered the Auditor and Treasurer report a direct tax of four per cent is now paid by the inhabitants of the Territory. But this amounts annually to about $2.360.00 only and is chiefly expended for the current expenses of the Government. No provision therefore is made by law for the payment of the debts of preceeds years

I have ventured to submit these remarks with this petition and to recommend the prayer of the petitioners to your consideration believing the subject of the highest importance to the honor and welfare of our country. The people have a right to know how when and by whom any pecuniary liability has been incurred on their account and I beg leave to notice that the debt was wholly created previous to the year 1841 with the exception of the two last appropriations acts which should be recollected were passed by the assembly after they had been returned with my objections thereto

Executive Department
Wisconsin
Madison January 24/1844

1844
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To the House of Representatives

I file, an bill entitled "an act to repeal the ~~Revised~~ ~~and enforcing~~ acts appointing a Treasurer and Auditor and for other purposes: I return with the following objections

It repeals all laws providing for the collection and levying a territorial revenue & therefore leaves the public debt without any provision for its payment This is practical repudiation.

It creates a civil office, and appoints an individual to perform its duties and receive fees for his services. This is a violation of the 7th section of the act of Congress to establish this Territorial Government which confers the power upon the Governor and Council to appoint all civil officers not provided for in the said act

Executive Department

I D Doty

Madison January 29 1844

Appointments

January 25th George W Law Notary Public for Brown County
" Daniel Butler do do do do
" Nathan Goodell do do do do
30 Nathan Goodell Auctioneer do Brown County
" Edwin Hart Notary Public do do
" Henry A Noles do do do do
" Peter B Grignon do do do do
" Robert B Stewart do do do do
" Stephen R Bolton Supreme Court Commissioner for Brown County
24 Charles Anthony Notary Public Calumet County
30 D W Halsted Notary Public Calumet County
24 Alfred Brunson Notary Public Crawford county
25 James Hackwood Supreme Court Commissioner [redacted]awford County
25 Alexander L Collins Sup.e Court Com.r Dane County
25 Nathaniel W Dean do do do do do
24 Charles W Pratt Notary Public Dodge County
24 Leo W Larkin Notary Public Grant County
" Frederick J West Supreme court Com.r Green County
25 John A Bingham do do do do do
24 William J Tilley Auctioneer Iowa County
24 John J Wiseman Notary Public Jefferson County
30 Robert M Eberts do do Manitowoc County
30 Frederick Borchardt do do do do
" William Dakin do do [redacted]rquette do

January 1844 Appointments

20	Alexander Mahoon	Dupt 11th Court Comrs	Milwaukee	County
24	John Gates	Inspector of Provision	Do	Do
24	James B Cross	Notary Public	Do	Do
24	Thomas J Boardman Jr	Do	Do	Do
24	David Kisar	Do	Do	Do
24	Edward Hasman	Do	Do	Do
24	Charles D Savage	Do	Do	Do
25	Levi Bowen	Do	Do	Do
24	Aaron Chalfont	Do	Portage	County
26	Gurdon H Merrell	Auctioneer	Do	Do
26	Thomas C Nelson	Public Administrator	Portage	County
6	Warren Chase	Auctioneer	Racine	County
26	Lorenzo Lanes	Notary Public	Do	Do
26	John B Gillson	Dupt 11th Court Comrs	Do	Do
26	Hiram Sutton	Notary Public	Do	Do
26	Albert G Northway	Public Administrator	Do	Do
25	Hannah F Kimball	Dupt 11th Court Comrs	Rock	County
25	Henry Conklin	Notty Public	Rheboijan	Do
24	Milo Kelsey	Do	Walworth	Do
24	William H Peter	Do	Do	Do

To the House of Representatives

The bill entitled "an act to provide for the payment of the expenses of the Legislative Assembly" this day presented to me with a request for my signature I return without my signature

My objections to it are that all the items of appropriation are not within the estimates of the Secretary of the Treasury for the expenses of the Assembly for the fiscal year ending June 30 1844 and for objects which have been approved by Congress, and are therefore forbidden by the act of Congress of August 26. 1842

I object to the provisions for the publication of the laws by the Clerks of the Houses as an improper provision to be inserted in the appropriation act.

I object to the allowance of extra Compensation to the following Members, for the performance of duties required of them as members of the Assembly, to wit: David Newland Macon C Darling, and Moses M Strong; and to John Catlin and Ben C Eastman clerks, for preparing the Journals of the Council and House for publication

The estimate for printing was for the House and Council and Executive Department; This bill contains no provision for the

printing which has been done for the Executive Department, And it allows a higher rate for the printing for the House and Council than the rate for which competent and responsible men offered. And were prepared to execute the work & therefore object to the sums which are allowed to John A Sheldon and George Hyre and fifteen amounting to two thousand six hundred dollars and fifty cents, and to W W Wyman five hundred twenty eight dollars and eighty seven cents, being one third more than the sum for which the same could have been obtained.

The second section is wholly unauthorized by the acts of Congress

The several items to which I object amount to five thousand and three dollars and twenty one cts.

1st William W Wyman. printing Journals of 1842 and '3.

2d Sheldon and Hyre the same

3d Sheldon and Hyre. for printing the laws passed at Sessions in 1842 & 3 I object to the preceding items also because they were not authorized by any competent authority. to perform the work

No law or joint resolution was submitted to the Governor or passed with his disapproval, empowering or authorizing persons to print the laws and Journals

4th, To Sheldon & Hyre for printing a report of a committee. in 1843 &

5th To David Newland extra Compensation, In a previous clause extra Compensation is allowed to Mr Young for the whole of the session

To John G Smith. Salaries. as. Superintendant, No. estimate has been. made. or appropriation by Congress, for this salary, nor. has. he been appointed by Congress to this salary, nor has he been appointed to the office according to law

7th To John Catlin. for postage

8th The appropriation for fuel lights and stationary exceed the estimates.

9th To John Catlin and Ben C Eastman for preparing the journals for publication and authorizing them to publish the laws

These are duties which properly devolve upon the Secretary of the Territory

10th To Mason C Darling, Extra. Compensation as Speaker. A previous appropriation

Made to Mr Walker for the resolution
11th To John G Smith " for hire of assistant
Librarian " There is no law or other authority
for this charge
12th To Sheldon & Hyer for incidental printing
and newspapers. They were employed under
a Resolution which was not passed by the Legis-
lature of the Territory. and they know their auth-
ority was defective They are allowed a higher
rate than they are entitled to; lower rates having
been offered.
13th To Mason & Darling " for services rendered
as one of a Committee " A member is not. permitted
by law to receive extra pay. for services rendered
as a member. If he did not perform them as a mem-
ber he must as an officer, and. being a member
he could not be appointed to an office created
during his Legislative term.
14th To Moses M Strong. for assisting Mason & Dar-
ling as one of a Committee. The same has the
preceding. objection with the exception that he
was not appointed by the Legislature a member
of the Committee, but was appointed by Darling
After carefully considering these accounts
items and testing their correctness. and legality
by the provisions of the organic law. and the
subsequent. acts of Congress. as well as by the es-
timates of the Secretary of the Treasury. I am
constrained under the oath I have taken
to obey the laws and by a sense of duty alike,
to the people of the Territory. and to the General
Government, to withhold my approval of the above

Executive department
Madison Jan 30, 1844

J D. Doty

February, 1844 Appointments
3 Alex Bodkin Auditor Territorial
3 James Merriam Treasurer
16 Josiah S. Arnold R. C. C. Parson County
28 Charles Temple " " " Portage "
16 Walter B Olcott " " " Jefferson "
16 Thomas. C Nelson Notary P. Racine
14 Israel C. Chesley " " C. C. Rock
19 Aaron Chesley " Notary P. "
16 Alex A Babcock " " Walworth

1844 March.
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Barlow Shackleford Librarian, D. Ct,
15 Davis D. C. C. Fond du Lack
18 Jacob D. Enos, D. C. C. Jefferson
15 Russell M. Kimball. Asst. Milwaukee
19 Henry Marsh — Notary P. Racine
15 Calvin Irish. D. C. C. Rock
16 A. M. Seymore — Do. Do
16 Prescott Brigham — Notary. Do
[redacted] Lady Patterson. Do. Walworth
28 James Simmons. Do Walworth

April
4 George T. Hazlet D. C. C. Calumet
25 Nancy Abbot N. P. Dane

Canc

Dodge.

1845.

~~John H. Markham. Auctioneer Lady 4~~
~~Richard Judd. Notary Public Nov 29~~
~~Milwaukee.~~
~~Alexander Mathews. N. P. Lady 4~~

Lady 4 1845

July 4 John, W, Markham - Auctioneer. Dodge
4 Alexander Matheson. N. P. - Milwaukee
4 Stephen. R Cotton. N. P. - Brown -
4 John. A Berydam. Judge Probate. Brown
August
4 Hyatt Smith. Attorney - Gen. W. T.
4 Ward C. Spalding. N. P. Rock -
Stephen. Thomas Jr. - Auctioneer Iowa
5 Thomas. J. Emerson. N. P. Racine
September William Henry. Master in C. R, Iowa
3 Oct
1st Alexander Cook. - N. P. Milwaukee
November Charles. H Chapman. N. P. Manitowack
1st
" Jacob A. Webber. N. P. Milwaukee
" John D. Phillips - Auctioneer Brown -
" George W Mitchell, Auct. Portage
" Robert. ~~Gibbon~~ Wilson. N. P. Iowa
29 William. H Cook. Auctioneer Milwaukee
" Richard. Judd - N. P. Lodge
16 Hopewell. Cox. N. P. Washington
" Jonathan. P. Bailey - N. P. Do

To the Legislative Council —

I nominate James H. Lockwood to be Judge of Probate — Samuel A. Clark and Leander Le Clere to be auctioneers, Hiram L. Allen, Samuel G. Bassett, Jacob Spalding, Isaac Bell, James H. Lockwood, Alvah C. Rogers, and Heman Baldwin, to be Justices of the Peace and John T. Ingersoll to be a Notary Public, in and for the County of Crawford —

Also Abraham Ackerman to be Judge of Probate, George H. Arms to be a Notary Public, and Thomas Mackie, Abraham Ackerman, Edmund S. Bailey & James Clawson, [redacted] Peace in and for the County of Dodge.

Also Charles H. Oakes, William A. Aitken and James P. Scott to be Justices of the Peace for the County of St. Croix —

Also Calvin Pier, Alexander La Bord [redacted] Benjamin F. Smith Justices of the Peace & Isaac H. Comstock a Notary Public for the County of Fond du Lac —

Also Chester Ford to be a Justice of the Peace for the county of Winnebago.

Also Anson Dart and Butler G. Plum to be Justices of the peace for the county of Marquette —

Also Matthias Stein to be a Justice of the Peace for the county of Milwaukee —

Also John G. Bastow, William C. Fillebrown, Samuel Leander Judson to be auctioneer, Tompkins, Armistead C. Brown, Peter Coyle, Samuel Ashley [redacted] James Bonhom, Thomas Potter and Hugh R. Cotter to be Justices of the Peace, Thomas J. Emerson to be a Supreme Court Commissioner vice H. Knowlton (removed from the County) and William C. Fillebrown to be a Supreme Court Commissioner (vice B. C. Eastman resigned), for the county of Grant.

1844 March.
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Barlow Shackleford Library, Ft. Atkinson
15 Davis D. C. C. Fond du Lac
18 Jacob L. Enos, D. C. C. Jefferson
15 Russell M. Kimball. Mus. Milwaukee
19 Henry Marsh — Notary P. Racine
15 Calvin Irish. D. C. C. Rauch
16 A. M. Seymore — Do. Do
16 Prescott Bigelow — Notary. Do
[redacted] Lady Patterson. Do. Walworth
28 James Simmons. Do Walworth

April
4 George T. Hazlet D. C. C. Calumet
25 Nancy Abbot N. P. Dane

Also William R. Patrick, ~~Robert Jastice &c.~~ William Quivey, Solomon Head, William H. Andrews, George L. Dyke and Harvey Bush to be Justices of the Peace for the County of Dane.

Also John F. Potter to be Supreme Court Commissioner ~~for this county of Waukesha~~ H. Smith Young, Stephen (S.) Barlow, Thomas Lyon Junr. Booth B. Davis, Elias Kibbond, John Teetshorn ~~and~~ Amos Older and Dan Rowe to be Justices of the peace for the county of Milwaukee.

J. D. Doty

Ex. Dept.
Wisconsin
March 21. 1843

Nominations
March 21.